THE STRUGGLE FOR CATHOLIC EMANCIPATION

By the same Author

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THE CATHOLIC REACTION IN FRANCE

THE "ACTION FRANÇAISE" CONDEMNATION

THE IRISH FREE STATE 1922–1927

DANIEL O'CONNELL

The Struggle for Catholic Emancipation

(1750-1829)

BY
DENIS GWYNN

WITH ILLUSTRATIONS

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INTRODUCTION

It is strange, indeed, that all but a complete hundred years should have passed since the Catholic Emancipation Act of 1829, without any book having been published which attempts to give a general survey, even in popular form, of the struggle by which the Catholics of England and of Ireland secured, through the efforts of many years, their liberation from the penal code. Fifty years ago, the Jesuit Father Amherst published, in commemoration of the jubilee of 1829, two large volumes, to which he gave the title, *The History of Catholic Emancipation*. But even in two volumes—in which political arguments and moral exhortations occupy almost as much space as the narrative of events—his praiseworthy book did not carry the story beyond the year 1820. And, in spite of his very definitely pro-Irish sympathies, his study of the period was almost entirely confined to the history of the agitation—if such a word can be used to describe the polite and humiliating negotiations undertaken by the Catholic Committee and Catholic Board — among the English Catholics. It was not until 1909 that the late Bishop Ward published his two masterly volumes on *The Dawn of the Catholic Revival in England*, 1781–1803, which for the first time collected and surveyed the great mass of material that was available concerning the period. These two scholarly and closely documented volumes were followed in 1911 by his monumental work, *The Eve of Catholic Emancipation*, 1803–1829, in three volumes, which embody the results of years of research among unpublished documents in the British Museum and in the diocesan archives, and provide a magnificently erudite survey of the period in England, presented by a historian of profound learning and admirable impartiality.

Yet even Bishop Ward's five large volumes do little more than touch the fringe of a question which is amazingly rich in dramatic interest. In the introduction to his *Eve of Catholic Emancipation* he himself insists that a " comprehensive history of Catholic emancipation can only be written from an Irish standpoint. The present work lays no claim to be such a history. The struggle for emancipation in England was only an episode in it, though, of course, one of essential importance." The explanation may best be given in Bishop Ward's own words, in order to prevent any appearance of undue Irish prejudice in the perspective of the present study of the whole Catholic agitation. The main facts may be stated quite simply at once. In the closing decades of the eighteenth century, when the Catholics first began to press successfully for relief from the penal code, the Catholic population in Ireland was roughly three out of four millions, while in England there were only some 60,000 Catholics in a total population of about seven millions. Obviously, the Irish agitation, if it succeeded, involved the overthrow of a Protestant ascendancy which was deliberately maintained on a basis of depriving the Catholic majority of all civil rights ; whereas in England even the fullest measure of emancipation could have made very little difference to their position in regard to the legislature.

Hence, as Bishop Ward says : " Emancipation was from the beginning an Irish, not an English question, yet for a considerable time after the Act of Union, the English Catholics had quite as much to say in negotiating the matter as their brethren across the water. Their demand was naturally different in character from that of the Irish, which was the agitation of the greater part of the nation. Hence arose a difference of opinion as to the conditions to be offered or accepted, of which the well-known Veto question forms an important, though by no means a solitary instance. Owing partly to a difference of temperament, and partly to the difference of circumstances and history, it is never too easy for the Irish and English Catholics to act politically

together ; the difficulty was emphasised during the years which succeeded the passing of the Union. Gradually there arose a double movement, one of the nature of a petition for emancipation, accompanied with a willingness to accept what became known as ' securities,' which the lay leaders in England—and also the aristocratic party in Ireland—represented ; the other the demand for ' Unconditional Emancipation ' on the part of the Irish, which grew in force as years went on. In the event the English Catholics failed to obtain emancipation. They did indeed pass it through the House of Commons ; but all their personal influence did not succeed in inducing the Peers to vote for it. Where their influence failed, the agitation of the Irish succeeded. The Bills of 1813 and 1821—the latter of which passed the House of Commons—were drafted by Charles Butler ; the Bill of 1825 was drafted by O'Connell ; and although that too was thrown out by the House of Lords, by this time the Irish Catholic Association had established its power, and four years later emancipation was forced from an unwilling Government : for when Sir Robert Peel and the Duke of Wellington declared in favour of it, they did so avowedly as a lesser of two evils, and because the state of Ireland had become such that it had become in their opinion ungovernable by any other policy."

The present book is an attempt to tell the whole story of Catholic emancipation, from the climax of the penal system in both countries up to the triumph of Daniel O'Connell in forcing the Duke of Wellington to carry the Catholic Emancipation Act of 1829. Limitations of space have made it impossible to discuss many controversial matters in detail ; and I have purposely omitted footnotes giving references to the sources of information, as they only irritate the ordinary reader. I have relied chiefly upon the quotation of actual statements, letters, speeches or documents, to make a coherent narrative. For a fuller study of the facts the reader must be referred to the original authorities, or at least to a number of important volumes in which the original

documents are quoted in great detail. For the history of Catholic emancipation, so far as the English Catholics are concerned, the indispensable sources of information are Bishop Ward's five large volumes, covering the period 1781–1829 ; while the late Mgr. Burton's *Life and Times of Bishop Challoner*, and the *Life of Bishop Milner*, by his disciple, Canon Husenbeth, must also be consulted. For the more serious student, Charles Butler's *Historical Memoirs* and Bishop Milner's *Supplementary Memoirs of the English Catholics* are indispensable, among the vast output of both these opposing protagonists among the English Catholic leaders.

For the story of the Irish struggle for emancipation, much less material is available. Lecky's monumental *History of Ireland in the Eighteenth Century* contains a great deal of important material ; but the two principal authorities for the earlier stages of the Irish agitation are the *History of the Catholic Association*, by Thomas Wyse, whose father was one of the earliest pioneers of the agitation ; the *Autobiography of Theobald Wolfe Tone*, who was chiefly responsible for organising the National Catholic Convention which produced the great Relief Act of 1793 ; and the *Life and Speeches of Henry Grattan*. For the later period, the various biographies of Daniel O'Connell and the *Life and Letters of Bishop Doyle*, as well as the lives and memoirs of the Duke of Wellington and of Sir Robert Peel are indispensable, and no clear idea of the whole struggle can be obtained without reference to the voluminous writings and speeches and letters of Edmund Burke, as well as those of Fox and Pitt and Lord Castlereagh and Canning.

Probably no other question in modern English history has involved the strenuous efforts of so many men of extraordinary genius. To Edmund Burke the Catholic question was his first enthusiasm, and he remained the devoted friend of the Catholic cause to the end of his life, in spite of the disappointment at his son's complete failure as their agent, and in spite of the later alliance between the

more democratic Catholic leaders and the French revolutionaries. Charles Fox lavished upon the demand for Catholic emancipation his splendid talents as an advocate of reform. Grattan, himself a member of the bigoted Protestant Ascendancy in Ireland, strove year in, year out, for the concession of equal rights to the Catholics, and held that their exclusion from citizenship in Ireland stultified that claim to the dignity of a nation which was the inspiration of his own career. On his deathbed, notwithstanding the years of persistent discouragement, he still announced his intention of being carried to the House of Commons, so that the last outbursts of his matchless eloquence might be devoted to the Catholic cause. Pitt, who had forced the Irish Ascendancy to eat dust when he insisted upon the Relief Act of 1793, was to engage for years in subtle negotiation and planning, in preparing the Catholics to accept the Act of Union, on a promise that their own emancipation would follow almost immediately. The promise was broken, and his duplicity was to bring about his own downfall at the zenith of his unprecedented power; and though he resumed office after an interval, and refused to give any further encouragement to the Catholics, his career was almost broken before his early death. Castlereagh, that prince of diplomatists, was to exercise all his talents to the uttermost in the same unscrupulous intrigue, and to share in Pitt's disgrace. The brilliance of Canning, the inimitable wit and courage of Sydney Smith, the light touch of the poet, Tom Moore, the effective bludgeon of the Radical, William Cobbett—all were to be employed in the service of Catholic emancipation, with a whole-hearted sincerity and earnestness that scarcely any other cause ever aroused in equal degree.

But even the display of all this astonishing combination of genius and of inspiration was less dramatic than the efforts of the Irish Catholics themselves, to win through to deliverance from an organised system of tyranny and deliberate degradation which could scarcely be paralleled in any other country. Their aristocracy had been hunted

into exile, after their possessions had been seized. Their clergy and bishops were forced to live in hiding at the peril of their lives. No Catholic was allowed to be educated in Ireland ; there were savage penalties of death for those who sent their children to seek education abroad. They were debarred not only from any voice in the legislature or even in electing their legislators, or in the corporations which exercised their monopoly of power to keep the Catholics in subjection. They were effectually prevented from engaging in industry or in professions ; while they were forbidden even to take a reasonable lease of any land, or to own a horse worth more than five pounds. Special laws were enacted to drive them out of even the few small towns in which they had retained any numerical strength. Yet somehow, deprived of education, of property, and of any apparent possibility of material advancement, they did achieve the incredible task of breaking through the bonds that were ruthlessly forced upon them. The emergence of Catholic leaders, with the courage, resourcefulness, and persistence that were required to break down the barriers one by one, is an extraordinary and profoundly moving story. More recent memories have given to the triumph of Daniel O'Connell over the Duke of Wellington and Peel a glamour which has eclipsed the much more romantic story of the earlier struggles. I have tried here to tell the whole story within the compass of a single volume ; as an attempt, however unworthy, to recall the brave struggle of a devoted succession of self-sacrificing pioneers, on the eve of the celebrations which next year will commemorate the final triumph of the ablest and the most dominating personality among them, who fully earned, in England as well as in Ireland, the title of Liberator of his fellow Catholics.

Every modern writer on the history of Catholic emancipation must owe a special tribute of gratitude to two scholars particularly, whose researches through many years among unpublished documents have provided the principal sources of information available to all subsequent writers who have

not had the same opportunities for investigating the original texts at their source. I desire to make full acknowledgment of the assistance which I have thus derived, in the present summary study of a crowded period of history, from the works of Lecky and of the late Bishop Ward, whose volumes contain many of the original documents which are quoted in these pages. And in acknowledging my indebtedness to their original researches, in addition to those of other historians whose names occur frequently in the following chapters, it is desirable to preclude any possibility of misunderstanding which may arise from the title of this book. A distinction must be drawn between the two forms of persecution to which Catholics were subjected under the penal laws. The first was the positive prevention of Catholic worship, and the denial of freedom of conscience to Catholics. By the middle of the eighteenth century, which is, roughly, the starting point of the present narrative, freedom of religious worship had been effectively secured, though the Catholic clergy were still obliged to officiate unobtrusively in private houses or in miserable chapels, both in England and in Ireland. No attempt is made here to describe the earlier period, which has been fully covered in many other books, in which the clergy were hunted systematically until they incurred the martyrdom which many of the laity also shared.

By the middle of the eighteenth century the prevention of Catholic worship was no longer enforced, though the laws still remained on the statute book, and Catholics were able to practise their religion without fear of discovery. But the second form of persecution—the infliction of civil penalties and disabilities upon those who were known to be practising Catholics—persisted, and did not reach its perfection as a system until the middle of the eighteenth century. The Catholic triumph in the Emancipation Act of 1829 consisted principally in the admission of Catholics to both Houses of Parliament, as the climax of a long agitation for the removal of these various civil disabilities, which did not, and could not, even begin until the Catholics had already established

the right to practise their religion. Every concession in the long process of their liberation assumed, as a matter of course, that the Catholics did practise their religion and demanded relief on that clear assumption. The refusal of liberty of conscience to Catholics had ceased before the period with which this book is concerned begins. The era of the Catholic martyrs was already growing remote in the memories of a generation which had survived into a more tolerant age. Limitations of space have made it necessary to exclude from the present book any description of the earlier persecution. It begins, therefore, at the stage when the Catholics were already able to practise their religion without any systematic interference, and, when they had grown sufficiently secure in Ireland as well as in England, to assert their claim to be treated on an equal footing with all other citizens.

To Father Herbert Thurston, S.J., I am deeply indebted for several very useful suggestions, and for his kindness in reading the book in proof.

DENIS GWYNN.

March 1928.

CATHOLIC EMANCIPATION

CHAPTER I

THE PENAL CODE

"You abhorred it, as I did, for its vicious perfection," said Edmund Burke, writing of the penal code to Sir Hercules Langrishe, one of the more generous-minded Protestant landlords who composed the Irish Parliament in Dublin. "For I must do it justice: it was a complete system, full of coherence and consistency; well digested and well composed in all parts. It was a machine of wise and elaborate contrivance; and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man. . . . My opinion ever was (in which I heartily agree with those that admired the old code) that it was so constructed that if there was once a breach in any essential part of it, the ruin of the whole, or nearly of the whole, was, at some time or other, a certainty."

It was the Irish Catholics whom Burke had in mind when he wrote that famous passage; and it was against the systematic and highly organised persecution of the Irish Catholics that his superbly eloquent denunciations were directed in his many letters about Catholic rights. For though the laws against Catholics were in most respects similar in England and in Ireland, and though the repeal of several important measures against Catholics was actually carried in Ireland before a corresponding change was made in the English statute book, yet the full vigour of the penal code was not enforced in England throughout the eighteenth century as it was in Ireland.

Sir John Throckmorton, one of the leaders of the English Catholics in the efforts to secure emancipation, admitted this quite openly in his tract on the "Petition of Irish Catholics," in 1805. "We stood not on equal ground," he writes; "and the same words would not have described our cases. Through the kindness of their own Parliament, they have advanced before us; and yet our relative situation is preferable to theirs. We were not a conquered people; from the paucity of our numbers we excited little jealousy; therefore we naturally fell into the general mass, and since the repeal of the most obnoxious statutes, have been permitted to live unmolested, and as our characters and conduct seemed to merit, respected even, and honoured." "In the case of the Irish Catholics," says Sir John Throckmorton elsewhere, "their constancy has amounted to heroism. With us the letter of the penal statutes was as oppressive; but they really felt their whole weight when they were not permitted to have schools for their children, and were declared traitors if they sent them abroad; when they were not allowed to appoint guardians to them; when they were deprived of testamentary power; when they could not lend money on security, nor purchase freehold lands, nor hold long leases; and when a son turning Protestant might dispossess his father of his property, that is, reduce him to an annuitant on his own estate."

But although the treatment of Catholics in the two countries differed so widely, it was this same penal code which had virtually exterminated Catholicism in England before the era of toleration set in, during which the extreme anti-Catholic laws were no longer enforced. It is impossible to discuss here the various causes why Catholicism survived through relentless persecution in Ireland, but was almost wiped out in England. In Ireland the penal code was enforced systematically with no less rigour than in England, but the military power available to assist its enforcement was much less, and the political conditions in both countries were very different. As an alien Government, the English

administration of Ireland aroused a national opposition which reinforced the resistance on religious grounds; while in England the Protestant attack upon Catholicism was a civil war, and not the imposition of a new religion by a foreign Government utterly unsympathetic to the people. The result, at any rate, was that by the middle of the eighteenth century Catholicism survived in England only under the protection of a small number of landed families who had never betrayed the faith, while the mass of the English people lost all contact with the Church; whereas in Ireland Catholicism was the religion of almost the whole peasantry, and the governing and propertied class was solidly Protestant. In a later chapter the condition of the English Catholics at the opening of the agitation for relief is described in some detail. But it is necessary to emphasise here the broad fact that the penal code, which in Ireland failed to achieve its object in spite of its complete and elaborate system, had in England practically accomplished its purpose; and even the small remnant of Catholicism which survived around the old families who adhered to the faith was continually diminishing, through the operation of various laws which gradually undermined the hereditary property of the Catholic families, and through the continual desertion of individuals under pressure of a social ostracism, which did not cease even after the process of relaxation had begun.

Through the whole story of the struggle for Catholic emancipation this fundamental difference between the position of Catholics in the two countries must be borne in mind. In England the Catholics are a small remnant, grouped for the most part around certain old families who provide chapels in their own mansions for the very few Catholics of the neighbourhood, and who are generally allowed to live their own lives in tranquillity and freedom, which their social position reinforces. In Ireland, on the other hand, the penal code is a deliberate system of oppression actively enforced by a small and self-conscious Protestant ascendancy, who use it without scruples to deprive the mass

of the people of education or of any elementary rights which would inevitably give rise to a demand for a status of citizenship instead of bondage. The very word " bondsman " had come to be used even in official documents to describe the Irish Catholics as a class. This expression of contempt and superiority persisted so late that even in 1836 the oath of the Dublin Merchants' Guild declared " you shall take no apprentice but if he be free-born : that is to say, no bondsman's son," and the evidence given before the Royal Commission had to admit that even still the phrase was intended to signify Catholics.

It is unnecessary to recapitulate in detail all the many enactments that were passed either in London or in Dublin with the deliberate object of forcing the Catholic population into a state of destitution and degradation. Whereas in England many Catholics still retained high social position, and frequently great landed estates, in Ireland the code was ruthlessly perfected and enforced to eliminate the Catholic landlord altogether. The Protestant ascendancy which governed Ireland was too acutely aware of its own spoliation of the Catholic landlords, who had been driven out after the Treaty of Limerick in 1691, to take any risk of a counter-revolution. Lecky sums up the position very justly when he says : " it was the dread of a change of property, springing from this fact, that was the real cause of most of the enactments of the penal code." The Catholic landowners, as a class, were practically exterminated. Towards the end of the eighteenth century, ninety-five per cent. of the land of Ireland had been transferred from Catholic to Protestant hands, and it was only the result of economic changes that enabled a new class of Catholic proprietors to arise quickly after the first Acts of relief had been passed. Nor was the Protestant ascendancy content with confiscation. Many of the Catholic landlords still remained in the country, and, in certain places, established themselves within range of their old homes with a view to asserting their former right of ownership.

"The Irish Parliament, however," writes Mr. Arkins,* "took steps to deal with them. The statute book contains Act after Act directed against so-called rapparees who had taken themselves to the mountains and other strongholds—from thence to harry their evictors. An Act of 1707 directs 'that all vagrants pretending to be Irish gentlemen who coshered about from house to house should, after presentment before grand juries, be transported to the colonies, or sent on board the fleet.' Many of the old landlords were transported and impressed under this law, and the Protestants could breathe more freely. Such measures, however, were not sufficient. Parliament was inclined to try more radical remedies, and the merciless laws of Anne were placed upon the statute book. The Act of 1703 in Ireland reproduced many of the worst features, and went still further in its persecuting fervour, than the English Act of the previous year. No effort was spared to encompass the ruin of the Catholic aristocracy. Section 10 provided that the fee-simple lands of all Papists were to descend equally to all the sons, by gavel kind and not by entail to the eldest son. Should the eldest son of a Catholic conform to the Protestant religion, he obtained the fee-simple in reversion of the lands, and the father was allowed but a life estate, nor could he create any settlements for the younger children save as the Court of Chancery would direct—the settlements in any case not to exceed one-third of the inheritance. Any younger son changing his religion could compel his father to disclose the value of his estate in Chancery, and obtain such portion for his maintenance as Chancery would consider suitable to his position. The wife of a Papist, if she conformed, could obtain from the Lord Chancellor a portion

* One of the most brilliant students of the National University of Ireland, the late Thomas Arkins died very soon after writing an admirable thesis on the economic effects of the penal code, which is much the most complete account of this aspect of the penal system. Parts of his thesis were published in the Irish quarterly *Studies*, in June and September 1912.

of the inheritance not exceeding one-third, and had full power to assign it.

" Nor did the laws confine themselves to ensuring that Catholic estates should be split up and their owners rendered powerless ; they also took care that no future Catholic estates should arise. Papists could not purchase, either for themselves or in the name of others, ' to their own use any lands except for a term of years, not above thirty-one years, whereon a rent of not less than two-thirds of the improved yearly value of the land was reserved at the time.' Any Protestant who discovered that the land was worth more could himself become possessed of the lease. No Papist could obtain lands from a Protestant ' by descent, devise, gift, remainder, or trust,' without taking the required oaths and conforming. The inheritance went to the next Protestant relative. All securities by judgments, mortgages, etc., against lands were void if held by Catholics. Care was taken that the laws should not be evaded, by a provision, entitling a Protestant who discovered that lands were purchased in trust for Catholics to become himself possessed of the lands. Enactments forbidding Catholics to become gamekeepers, possess a horse worth more than £5, and disallowing burial, save in a Protestant churchyard, suffice to give us some idea of the malignity and thorough-going nature of the code."

In England, under a more humane administration, the landed families which had remained Catholic had been able to preserve their property. But in Ireland, even in 1739, it was put on record that " there are not twenty Papists in Ireland who possess each £1000 a year in lands, and the estates belonging to others of a less yearly value are proportionately few." Certain effects of this systematic extirpation of the Catholic landlords, and of the prevention of Catholics from acquiring possession of land, must be noted to obtain a right perspective of the struggle for emancipation. The curse of absenteeism, which imposed upon the country an annual drain in rents which was not much smaller than

the value of its whole export trade ; the extortions of the agents and middlemen who were employed by the absentee landlords, and whom so experienced an English traveller as Arthur Young described as " the most oppressive species of tyrant that ever lent assistance to the destruction of the country " ; the universal failure of the landlords to expend anything whatever upon the improvement of their lands, and their ruthless practice of raising rents whenever a tenant farmer did anything to make the farm more valuable—all these evils have been described many times.

Mr. Arkins, in his illuminating survey, shows how many other evils followed inevitably from a deliberately demoralising system. No Catholic could lend money on a mortgage ; so that the possibilities of a fair-minded landlord raising money for improvements were greatly restricted, in a country where the Protestants as a rule were reckless in their extravagance and the Catholics were more than two-thirds of the whole people. And, while the Protestant landlords declined to improve their lands, the Catholic tenants were deterred from doing anything to improve them, not only for fear of their rents being raised, but because under the penal code any Protestant could—and, in fact, would—obtain possession of any lands which a Catholic had improved to a point where profits were one-third more than the rental. The general decay of the country which followed inevitably from these conditions appalled Arthur Young and other intelligent visitors during the eighteenth century. But the moral effect upon the Catholic people was even more devastating than the effect upon the country's economic life. The landlords soon found that a system which compelled the tenants to avoid improving their farms for fear of eviction, was unprofitable to themselves ; and during the first half of the eighteenth century there was a general conversion from farming to grazing. Tenants were actually forbidden to plough their lands, and whole villages were evicted at the landlord's will in order to avoid trouble with the Catholic tenantry. They had begun long before 1750 to emigrate to

England for work during the harvest season, in utter despair of finding work at home. " The house of an Irish peasant," wrote Berkeley, " is the cave of poverty : within you see a pot and a little straw : without a heap of children tumbling on a dunghill." So it was a peasantry forced down to the last verge of destitution and degradation—dispossessed, proscribed, hunted off the fertile lands to give place to sheep and cattle, forbidden to improve their lands, exploited by the merciless agents of absentee landlords—who had to undertake the struggle for their own emancipation. They had been deliberately deprived of all education ; and the great majority of the Catholic peasants could not even speak or understand English. It was inevitably to those who had found their means of livelihood by escaping from the land, that they had to look for their leaders in their deliverance.

Yet even apart from the land, they found every avenue of advancement closed to them by a penal code which, as Burke said, was a " complete system, full of coherence and consistency." Arthur Young, with his wide experience and his natural shrewdness, got to the bottom of the question when he declared roundly his own conviction concerning the real object of the penal code. " I have conversed on the subject," he said, " with some of the most distinguished characters in the kingdom, and I cannot, after all, but declare that the scope, purport and aim of the laws of discovery as executed are not against the Catholic religion, which increases under them, but against the industry and property of whoever possesses that religion. In vain it has been said that consequence and power follow property, and that the attack is made to wound the doctrine through its property. If such was the intention, I reply that seventy years' experience prove the folly and futility of it. Those laws have crushed all the industry, and wrested most of the property from the Catholics ; but the religion triumphs ; it is thought to increase."

The many enactments against Catholics in regard to

commerce and industry were elaborately designed to supplement the crushing restrictions imposed upon them in regard to land; and one Act after another was passed and vigorously enforced to cover any possible loophole by which the Catholics might rise above the servile condition to which they had been reduced. The full effects of these restrictions have been very much overlooked, and the most valuable part of the survey by Mr. Arkins is that which deals with them. In the eighteenth century, he points out, "the corporations and the guilds controlled not merely the municipal but the trade life of the towns and cities. Each guild (such as the merchants, the goldsmiths, the carpenters) was supreme in its own trade, and dictated the terms of apprenticeship and of work. The greater corporation of Parliament interfered much more in economic concerns. Vast sums were expended in bounties to particular industries, and the protective system was in full swing. Government regulated the prices of commodities, fixed the rate of wages, even prescribed the exact method of carrying on industry. These regulations were perhaps essential in the transition from the agricultural to the industrial stage. Men may differ as to the wisdom of the system, but the fact remains that the influence of the Parliament and the corporation were paramount in trade and commerce. This must be clearly grasped if we are to understand the disastrous consequences of the penal laws and the crushing out of the industrial spirit amongst Catholic Irishmen."

It was while Parliament exercised this decisive control over the direction and the prosperity of industry and trade that no Catholic was allowed to be a member of it; and that the Protestant ascendancy was using its political power most ruthlessly against the Catholics. They passed a series of measures deliberately designed to ruin Catholic traders, as they had already ruined the Catholic landlords and peasantry. In the second year of Queen Anne a new Act was passed which re-enacted and improved upon the Act of 1667, which had decreed that "to the end that all and every the houses

in corporations may always continue in the hands of English and Protestant subjects as near as may be," no Papist or Popish recusant "should be admitted to purchase any of the houses in corporations," nor any other persons without taking the oath of allegiance and supremacy. In the new Act under Queen Anne this section was strengthened by a new clause which made specific provision for the two Catholic cities of Galway and Limerick. It declared that "whereas the peace and safety of this Kingdom and the welfare of Your Majesty's Protestant subjects would much depend on the security of the city of Limerick and town of Galway being in possession of Protestant subjects," therefore no Papist, after March 1703, should be allowed to take or buy any house or tenement or come to live in these two towns or their suburbs; and that every Papist actually living there already should at once be compelled to give two sufficient sureties before a Magistrate. If they could not find two such sureties "in a reasonable sum" they were to depart out of the said two cities before March 1705. Now these two cities, Limerick and Galway, were the only two important towns in which the Catholics had retained any considerable influence. Their banishment from Galway and Limerick made it utterly impossible for a Catholic merchant or artisan class to develop so long as the penal code was duly enforced. Excluded from the towns, they could now find no escape from the land which they could not even till.

Not content with excluding Catholics from the towns, as Mr. Arkins points out, Parliament adopted other means to prevent the growth of a Catholic manufacturing community. No possible form of alternative occupation was to be left open to them. The Irish Parliament, as well as the English, encouraged the Flemish immigrants who introduced the woollen industry; but it stipulated not only that they must be Protestants, but that they must teach their trade only to Protestants. An Act of George I made perpetual the statute of Charles II's reign which had inflicted fines and forfeiture of his privileges upon any such immigrant

who employed " any apprentices or any manner of journeymen or covenant servants " who were not Protestants. As though this were not drastic enough, an Act of Queen Anne had forbidden any Papist who might have obtained permission to follow any trade or craft to have more than two apprentices, and an Act of William III had explicitly forbidden any Papist from becoming an apprentice in the firearm trade or even in making of " swords, bayonets, skeines, knifes or other weapons." The whole ironmongery trade and the manufactures connected with it were completely closed to Catholics ; for even qualified Catholic artisans in the trade were ordered to take the oath of allegiance and supremacy. Even in the woollen trade, which he knew, he was only allowed two apprentices ; and before long English legislation had deliberately ruined the Irish woollen industry ; and the famous law which forbade a Catholic to own a horse worth more than £5, under penalty of its confiscation, deprived the Catholics of many further opportunities in commerce.

While legislation thus deliberately ground the Catholics down, the corporations and the guilds reinforced the legal restrictions with innumerable petty persecutions. Catholics had been excluded in 1667 from corporate offices ; and in 1727 they were deprived even of the vote in corporate elections. The tradition of excluding Catholics from the freedom of the Irish cities had become so strong that even in 1833—forty years after this penal restriction had been removed and within a few years before Queen Victoria's accession to the throne—the Royal Commission on Corporations had to report that the Catholics " in the considerable towns have been rarely admitted as Freemen, and with few exceptions they are altogether excluded from the corporate body." The exclusion involved many direct disabilities, all the more serious because the Protestant ascendancy was so determined upon using its power to keep the Catholics in subjection. The mere power of voting as Freemen gave to the Protestants a monopoly in the distribution of salaried

positions and sinecures. It was they alone who appointed the sheriff and the judicial officers of the city. On the other hand, they paid no tolls and customs, which the Catholics had to pay; and it was the Catholics alone who had to bear the undefined and always onerous burden of quarterage—a contribution which was required from all Catholic traders and shopkeepers "for the due providing of all regalia, ensigns, and colours for the different confraternities, to supporting reduced Freemen and burying the dead, to waiting on the Mayor on days of solemnity, and providing anniversary entertainments."

Without appreciating all these cumulative oppressions upon the Catholics, it is impossible to understand either the full weight of opposition that they had to encounter in the struggle to regain the rights of citizenship or the overwhelming difficulty in organising any influential body of resistance. Writing in 1812, long after the repeal of the most vexatious measures of the penal code, Denys Scully still had to present a glaring contrast between the position of the Catholics and the Protestants in the towns—even though a whole generation had passed since the code was enforced in its full vigour. "All Catholic merchants, tradesmen, and artisans," wrote Scully, "all the immense variety of petty dealers and handicraftsmen, shopkeepers of every kind, smiths, carpenters, masons, shoemakers, are under a necessity for subsistence of residing in these cities and towns under the yoke of corporate power." Each of these "is engaged in a continual but ineffectual struggle against, not only the general severity of the anti-Catholic system in Ireland, but also the local hardships and vexations heaped upon his lot in his particular town under the sanction of the law. He sinks beneath the pressure of these accumulated burthens: the manifold personal advantages enjoyed by his Protestant fellow-tradesmen; the power and influence of his rival, his opportunities of inflicting injuries, his superior credit in the town and elsewhere; greater accommodation for his trade and family; exemption from tolls;

preference in beneficial contracts and in the markets—and in various other petty privileges."

In addition to this system of perpetual exclusion, enforced against them by Parliament and by the corporations, the Catholics had to live excluded from all the trading and manufacturing guilds. They regulated the terms of apprenticeship, and they used their enormous powers consistently for the repression of Catholics, to such extent that the coal-porters of Dublin even petitioned Parliament for redress when they found that a Catholic coal-porter called Darby Ryan had grown rich by employing other coal-porters to carry for him.

There was, in fact, no sphere of property or of commerce or industry which the penal code had overlooked in its determination to prevent the recovery of their rights by Catholics. It was only in commerce, which no legal system could ever control, that the Catholics, here and there, began gradually to amass wealth and to achieve a certain influence. And it was an indirect result of the penal system in regard to Irish land that gave to them their first big opportunity. Debarred from owning land, and deterred from improving it for fear of eviction or extortionate rents, the Catholic tenants gradually took to grazing instead of tillage, with the result that a growing export trade in cattle and other foodstuffs developed during the eighteenth century. Here also Catholics were confronted with a deliberately imposed barrier to their prosperity ; for it was not until 1760 that the English prohibition upon the import of Irish cattle or provisions was removed. But the Catholics, under force of necessity, found other markets in other countries ; and this new and growing trade in exported foodstuffs was to play a decisive part in strengthening the intimate connection between Ireland and the Continent during the years in which all education was banned to Irish Catholics. France, Spain, and America became the principal markets for the Irish dead meat and provision trade, while the trade with Holland, Portugal, and the Straits Settlements was also considerable.

It was from this trade—itself a direct outcome of the penal laws which had forced the Catholic peasantry to adopt grazing instead of tillage—that the wealthy class of Catholic merchants grew up, who were to be the leaders of their own people in the struggle for emancipation. The provision trade almost alone was excluded from the ruthlessly close restrictions of the guilds ; and it was this trade, which alone was open to Catholics and which provided a means of livelihood to the Catholic peasantry, that expanded most rapidly during the eighteenth century. So, in Cork, Limerick, and Waterford—the ports from which this new export trade to the Continent was conducted—there came into existence a new class of prosperous Catholic merchants who, being prevented by law from investing their money in land, were obliged either to spend their profits on developing their own business or else to emigrate and settle in other countries where Catholics enjoyed freedom. The rise of this new Catholic merchant class was to be the means of liberation for the Catholics who had been subjected to such a completely organised system of persecution. It was they, with their new spirit of rising confidence and with their growing accumulation of capital, who took the first steps to organise an effective agitation on behalf of the Catholics, and who had acquired in commerce the wealth necessary to provide funds for a political campaign—at a time when the Protestant landlord class was squandering in reckless extravagance the property that was the basis of their privileged position.

Their direct connection with Continental countries, both through the export trade and through the Catholic centres of learning in Europe, was to produce a curious result upon the Protestant landlords who had themselves drained the country for years by exacting rents which were never spent in Ireland. The Catholic merchants, debarred from owning property in Ireland, had begun to discover the possibilities of investing in other countries, and in 1763 Mr. Monck Mason introduced a Bill to enable Catholics to take security upon land—in other words, to lend on mortgages to the Protestant landlords.

He explained the object of his Bill as being " to prevent the Papists sending their money out of the Kingdom," on the ground that if they " could get no security at home, necessity as well as interest would compel them to vest their money in foreign securities." The Bill was actually carried in the Irish Parliament, but vetoed by the English Government. It showed how the Protestant ascendancy had already become so overwhelmed with debts that it was prepared to allow Catholics even to lend money on mortgage upon land in Ireland. The speeches made in support of Mr. Monck Mason's Bill prove that already the first cracks were showing clearly in the iron system which had been imposed upon the Catholics. Counsellor Robert French, one of the speakers in support of the Bill, uttered a memorable warning when he said that " the river of Bordeaux exhibited sufficient proofs of the impolicy of not allowing Catholics landed security for their money ; its banks were adorned by superb villas, belonging to their countrymen, who had retired from trade, who had invested their money in French securities, and enjoyed the fruits of their industry in these elegant retreats."

Even as far back as 1719 the jealous apprehensions of the Protestants towards the acquisition of any property whatever by the Catholics, whom they were determined to impoverish and to degrade, were expressed by Archbishop King when he complained that the Catholics had obtained " the greatest part of the trade of the Kingdom." The statement must have been a great exaggeration at that time. But in 1739 an anonymous pamphleteer declared that " they had captured most of the commerce and current coin of the Kingdom ; which latter is particularly dangerous, as they might quickly fit themselves out for ' secret enterprises.' " That the Catholic merchants multiplied and prospered in the towns is beyond question ; and the Protestants, who were determined to humiliate them, increased the exactions that were levied, under the undefined claims of quarterage, for the upkeep and support of the corporations and their

Protestant dependents. Even in 1763 the Protestants were still so confident of their own power to treat the Catholics as they pleased that they introduced a Bill to establish the legality of quarterage against the Catholics who had begun to resist the payment of it. The corporations of Dublin, Cork, Limerick, and Waterford, and other towns as well, had petitioned Parliament against certain judicial decisions which had been given against quarterage. But when the Bill was introduced on behalf of the Protestant corporations, to remove all doubt as to the legality of these extortions, the Catholics had already gained sufficient courage to hire lawyers whom they briefed to appear before the Privy Council to resist the claims. The Lord-Lieutenant, after hearing their case, was completely convinced that the imposition was not only iniquitously oppressive but illegal, and he quashed the Bill.

The Catholics had won their first real victory, and the merchant class had thus made the first breach in the " coherence and consistency " of the penal code. It was they who founded the Catholic Association in 1756, and, within seven years, they had successfully challenged the most glaring abuse inflicted upon them by the Protestant ascendancy.

Side by side with this emergence of a new merchant class, the education of the Catholic people made steady progress—or rather, recovery. Professor Corcoran, whose knowledge of the subject is unrivalled, declares that while " thousands of teachers from the very heart of that hidden Ireland, were available for the local education of the Irish people . . . to all these teachers, to their scholars, and to all Gaeldom in Ireland the proceedings of the State in Dublin and its alien life, whether before or after 1782, were hardly present. . . . The Irish nation was in constant, direct, and universal contact with the civilization of Flanders, of France, of Spain, Portugal, Italy." There is no lack of evidence on the subject, or on the conscientious diligence of the Protestant bishops in trying to stamp out every school in which poor Catholics were being taught. The House of Lords in Dublin received

reports in 1731 which throw much light on the illegal Catholic schools. In the dioceses of Derry and Clonfert, in Kilmacduagh and Waterford City, the Protestant bishops and the mayors report that the Popish schools have been effectively suppressed, and that the schoolmasters have been banished or imprisoned. The reports showed that some 560 such illegal schools had been discovered, which taught Latin and English to the Gaelic-speaking Catholics, as well as mathematics and other subjects. But it was obvious that only a proportion of the schools had been discovered. In the diocese of Ross, for instance, the existence of many "petty schools" is reported; while at a village in Kildare it is reported "there are little Irish schoolmasters in many places; who they are I have not heard."

It was in these little primary schools, where every subject was taught through the medium of Irish, that the popular education of the Catholics was carried out. In 1750 Sir Richard Cox was denouncing the prevalence of such schools in Munster and complaining that English schools should be found willing to take their scholars, and in 1764 Sir James Caldwell protested that "the Papists are not only connected by the general tie of religion with France and Spain, but there is not a family in the island that has not a relative in the Church, the Army or in Trade in those countries; and in order to qualify the children for foreign service they are all taught Latin in schools kept in poor huts, in many places in the southern part of this kingdom." Some twelve years later, again, we get a picture of these numerous local schools in the account given by Arthur Young, of his travels from one landlord's house to another in Ireland in the last phase of the full enforcement of the penal code. "Hedge-schools, as they are called," writes Arthur Young, "—they might as well be termed ditch schools, for I have seen many a ditch full of scholars—are everywhere to be met with, where reading and writing are taught. Schools are also common for men." And a few years later again, in 1782, the philanthropist, John Howard, describes how "at the cabins on the

roadside I saw several schools, in which for the payment of 3s. 3d. *Irish* per quarter, children were instructed in reading, writing, and accounts. Some of these I examined as to their proficiency, and found them much forwarder than those of the same age in the Charter Schools. They were clean and wholesome. The state of most of the Charter schools is so deplorable as to disgrace Protestantism and encourage Popery in Ireland. This noble charity greatly wants reformation."

Such, in general, was the condition of the Catholic population of Ireland in the second half of the eighteenth century, when the iniquitously oppressive system that had been prepared and completed with so much care and enforced with such consistency and ruthlessness, began to break down; owing to the gradual emergence of a prosperous class of traders among the Catholics, who became the leaders of their own people; and owing to the reckless extravagance and the brutal stupidity of a Protestant ascendancy, which would neither recognise the injustice of its own conduct nor exercise the self-discipline that was necessary to maintain its position. Probably no less than three-quarters of the whole population of Ireland—which, by 1800, was somewhere around five million people—were Catholics; and of the remainder about two-thirds were Dissenters and only one-third belonged to the Established Church. But while the Dissenters were subjected to certain disabilities, their position was incomparably superior to that of the Catholics. At least they were Protestants; and it was only those who refused to forswear the Catholic faith who were excluded from the ownership of land, from the corporations and guilds, from education of any kind; and left at the mercy of a system which entitled any one of their children who might turn Protestant to confiscate whatever property they had.

CHAPTER II

THE PIONEERS

UNDER a system which had been so elaborately and completely contrived to prevent the Catholics in Ireland from rising to any position of influence or authority, and which was ruthlessly enforced with the object of repressing any faint effort on their part to assert their rights, it was only among those who had received their education and acquired self-confidence abroad that men could arise with the heroic courage and self-sacrifice that was necessary for one who was willing to labour for the liberation of his own people. And, in fact, it was a small group of isolated Catholics of this sort, brought together by their individual revolt against the inhumanity of the system which surrounded them, who first gave public expression to the protest against a barbarously wicked code of laws. The story of the earliest beginnings of the Catholic revolt has been told with intimate knowledge by Thomas Wyse (whose father had been one of the principal pioneers of the early Catholic Association) in his *Historical Sketch of the late Catholic Association of Ireland*, which was published in 1829.

Wyse describes in a series of vivid character studies how "in the full vigour of this atrocious persecution, when all that was life and spirit seemed to have departed from the Catholic body, and the hope even of redemption had been forgotten, Providence raised up from the midst of these calamities three individuals who were destined to be the first forerunners" of emancipation. He records how, on 23rd October 1746, when the Protestant pulpits were still being used every week to pour out calumnies upon the Catholics as well as their religion, a young girl, coming out from one of these sermons through the Castle yard in Dublin,

was overheard to exclaim with astonishment and horror: "And are there any of these bloody Papists now in Dublin?" A Catholic, Dr. Curry, happened to be standing near, and, after reading the sermon, he "from that day forth dedicated the whole might and energies of his mind to an immortal cause." Dr. Curry was a typical representative of the dispossessed Catholic aristocracy. He had contrived to obtain his education in Paris, where he graduated with great distinction, and returned after a time to Dublin, where even a Catholic, if he had special talent for medicine, could by this time exercise his profession as a doctor in spite of the penal laws. A man of great charity towards the poor, he had established a profitable practice as a doctor which strengthened the independence of his character; and before anyone else had dared to dream of a general movement for emancipating the Catholics from the penal code, he had been laying his own plans and trying to find means of organisation.

Accident before long threw him into association with another Catholic of an impoverished landlord family, whose public spirit matched his own. Charles O'Conor of Ballenagar, in Sligo, belonged to the chief branch of the famous family, whose titular head is the O'Conor Don. The large family estates were confiscated after the Jacobite wars, and less than 1000 acres of bad land, hopelessly encumbered by Chancery claims, was all that remained of the hereditary property. O'Conor himself was born in an obscure cottage in great poverty, and his education—though he had command of several languages, and was deeply read in history—was due, as Wyse puts it, "to the scanty and piecemeal instruction of a few itinerant friars who received shelter by the fireside of his hospitable father." The third member of this first group of pioneers also belonged to the same class. Thomas Wyse, of Waterford, had inherited a small fraction of the extensive estates which his family had held a few generations before, and even this remnant of property made him the target for informers and extortioners of every kind. Like Dr. Curry, his early life had been spent abroad, and his

sons were in various armies of the Continent. He returned to Ireland, where daily persecutions and insults drove him to adopt a life of embittered seclusion, and his efforts to improve his estates and to establish local industries were unfailingly thwarted until he was forced to abandon all further attempts. An accidental correspondence, however, brought him in touch with Charles O'Conor, and for the remainder of his life he devoted his restless activity to promoting, by every possible means, the resistance of the Irish Catholics against their oppressors ; until (in his son's words), " after successively proving in his own person the inflictions of the Gavel Act, and of the disarming Act, the ingenious malignity of the discoverer, the secret conspiracy of the Protestant minister, the treacherous calumny of the informer, he sunk broken-hearted into the grave," leaving an injunction in his will that his children should sell the remnants of their hereditary property and " seek out some other country where they might worship God like other men in peace."

Such were the three men who, against overwhelming obstacles and personal afflictions, first set themselves to discover and develop some means by which the Catholics of Ireland could unite to obtain their liberation. O'Conor was the first to make any direct intervention in public affairs, when, under the pseudonym of " A Protestant Dissenter " he published, in 1753, a pamphlet in answer to the " Appeal " by Sir Richard Cox, who had accused even so fanatical a Protestant as Lucas of being a Papist because of his national views. The pamphlet was widely read and applauded among Protestants who had come to feel more generously than their ancestors ; and it led to an immediate alliance between O'Conor and Dr. Curry. Signs of the growing liberality among certain Protestants were gradually becoming manifest ; and O'Conor and Dr. Curry and Wyse felt that the time had come for a definite attempt to create some sort of Catholic association. Their first efforts were directed towards gaining the support of the Catholic gentry, who were

their own social class. Of support from the clergy they had less hope. From the peasantry, in their state of abject destitution and depression, they could hope for nothing whatever, and even among the survivors of the aristocracy their first courageous efforts were sternly discouraged. The aristocracy could scarcely be blamed for their lack of spirit. Fidelity to Catholicism had already involved them in appalling sacrifices, " not merely," as Wyse recalls in fairness to them, " of all political pre-eminence, of all the honour, power, emolument, consequent upon their station, but of considerable portions of their hereditary estates ; the operation of a long series of legislative severities had crumbled away, fragment by fragment, the miserable pittance which civil war or domestic rapacity had spared ; the constant habit of shrinking from public notice, the prudence requisite to walk amongst the snares with which they were encircled, and the stern and calamitous lessons taught by a long-continued experience, had concurred with the actual grievance, in altogether congealing every sentiment of political energy or enthusiasm."

At any rate, the Catholic gentry refused from the first to be any party to a Catholic agitation. They even threw whatever influence they still possessed into opposing it, for fear of incurring reprisals from the Government ; and the clergy were no less opposed to what was hazardously suggested by the small group of unaccredited pioneers. But a new class was slowly arising, as an unexpected result of the penal code. The Catholic merchants, by their constant association with the Continent as well as by their growing confidence that springs from wealth, were gaining courage that was utterly lacking elsewhere. It was among this " knot of high-spirited commercial men " that the small group of emancipators found the first response to their appeals, and it was with their assistance alone that the first attempts at organising the Catholics were made. The circular letter which had been sent out to the leaders of the aristocracy and of the clergy had met with complete refusal. The merchants

of Dublin were not only the first, but for a time the only members of the new association. The significance of its formation was immense. " It was the first collection of individual Catholics, since the Revolution," says Wyse, " who dared to meet and consult on Catholic affairs."

But it was long before these courageous men could find any means of effective action, while the Catholic gentry—who alone were in a position to exert influence among the Government—sneered at their ambitions and actually did all in their power to thwart their aims. They had decided to begin by presenting a collective address testifying to their loyalty as citizens, and an address signed by " 400 respectable names " was, in fact, presented to the Speaker of the House of Commons by two of their number in 1759. Yet though they dared not yet present even to the Lord-Lieutenant this address—which was not a recital of their disabilities, but an expression of their loyalty—its presentation to the Speaker of the Irish House of Commons was the first definite landmark in the history of Catholic emancipation. It was a long time before the Speaker even deigned to reply to it. The delay produced a feeling of acute suspense. Vague doubts began to grow as to whether even their audacity in presenting such a profession of their loyalty might not draw down upon the Catholic merchants the vindictive anger of a Government which viewed with distrust their existence as a prosperous class. Those who had opposed its presentation were already rejoicing at the humiliation which had fallen upon these pushful men, when at last the answer from the Lord-Lieutenant was returned to them, after mature deliberation, through the Speaker who had submitted it. It not only removed their apprehensions but gave them an undoubted triumph, for it conveyed the assurance of the Lord-Lieutenant that " the zeal and attachment which the Catholics professed could never be more seasonably manifested than in the present conjuncture, and that as long as they conducted themselves with duty and affection, they could not fail to receive His Majesty's protection."

One lamentable result of the petition was that dissension immediately broke out among the Catholics. The aristocracy were outraged at this assumption of leadership by the merchant class, and in indignation they refused to have any further association with them. The pioneers had, at least, shown that the Catholics could obtain recognition from the Government, the consequences of which might be an incalculable aid to their future efforts: but instead of winning the support of the influential Catholics, they were henceforward repudiated and had to continue their agitation alone. It is to their undying credit that they refused to be discouraged by the desertion of the Catholic aristocracy, and proceeded to give a more permanent basis to their efforts. No formal meetings of Catholics, even for preparing an address of loyalty to the Lord-Lieutenant, would, under existing conditions, have been tolerated. The address itself had been concocted at individual gatherings which were held in private houses. Its success now increased the number of Catholics who were willing to risk the dangers of such concerted action. Discussion, Wyse tells us, was now transferred to a more public apartment, and it was his father who first conceived the plan of creating a permanent organisation. In Dublin it was immediately put into operation. Dr. Curry was elected to represent one of the parishes, and suitable men of position and influence were chosen to represent others. But in the country "Mr Wyse soon discovered he had calculated much too highly on the energy and intelligence of his countrymen. Secrecy was still requisite even in the metropolis. This, with the general apprehensions then prevalent in the island, from the invasion of Monsieur Thurot, rendered it extremely difficult to bring the project into general play. Mr. Wyse, however, and the few other country gentlemen who were elected for the counties, together with the representatives of Dublin, met at last in committee, and took upon themselves the management of Catholic affairs, in which they had been now so long and so basely deserted by the rest of the aristocracy."

EDMUND BURKE

It is a melancholy reflection that the accession, in 1760, of so bigoted a Protestant as George III was hailed as "opening new and brighter prospects for the Catholics"; just as, two generations later—and with better reason, for George IV was known to have secretly married a Catholic wife before his royal marriage—his successor was similarly acclaimed as "the friend of religious toleration, and the guardian of the civil and religious rights of his subjects." George III described himself in those very words, and the Catholics, consequently, had some apparent ground for hope. The General Committee of the Irish Catholics now lost no time in taking him at his word. Their success in the recent address to the Lord-Lieutenant at any rate removed the fear that they would be treated with the same ignominy as Lord Delvin's similar address had incurred, when the Catholics had tried to present an address to George II on his accession to the throne. One of the principal reasons alleged for the passing of what Edmund Burke has called the "ferocious Acts" of Anne and George I was the neglect of the Catholics to present an address of loyalty to the throne. To overcome this suspicion, Lord Delvin had, on the accession of George II, gone at the head of a select Catholic deputation to the Lords Justices at Dublin Castle, to present a humble expression of their "unalterable loyalty and attachment to the King and his royal house." But the deputation never received any answer whatsoever, even from the Lords Justices, and it is doubtful whether it was ever even forwarded to the King.

Now, at last, the accession of George III seemed to portend the advent of a more tolerable regime. Acting on instructions from the Catholic Committee, O'Conor drew up an address of loyalty which was signed by some 600 names—an unprecedented display of organisation at the time—drawn from every part of the country. It was described as an "Address of the Roman Catholics of Ireland"; but the lords and clergy refused to take part in it, and drafted a separate address of their own. Both were duly presented, and, to the jubilation

and surprise of the Catholic body, were actually accepted and printed in the *Gazette*. The Catholic Committee felt that the time had come for a bolder move, and, after preparing a detailed statement of their grievances against the existing laws, they resolved that it should be submitted without delay to the King himself.

But this courageous decision to inform the King of their grievances, as well as of their loyalty to the throne, was to split the leadership of the Catholics still further. The merchants who had brought the Catholic Association into existence, in spite of every discouragement, had so far succeeded that the aristocracy no longer held back, and, having come forward publicly as Catholics, they now claimed the right to act as leaders of the movement which they had at first disowned. Two Catholic peers were already specially conspicuous, and their opposing sympathies were to divide the Catholic gentry into two camps for many years to come ; while the burden and the risk of the Catholic agitation fell almost entirely at first upon the despised merchant class. Lord Trimleston, who was a Tory of exceptional arrogance, was appointed treasurer of the Catholic funds, but he showed almost at once that he " recognised no right in any other body than the aristocracy to interfere " in public affairs. The commercial classes he " considered and treated as audacious intruders of the rights of their superiors " ; and his " obstinacy and superciliousness " alienated the merchants from the outset, and gradually exasperated many of his own equals. Utterly different in temperament was Viscount Taafe, whose personal qualities won him the affection of all the Catholics, while he enjoyed immense prestige under his other title of Count Taaf, as a famous statesman and general in Germany, where he had settled to escape from the disabilities of his position in Ireland. Taafe had never lost his old affection for Ireland ; and although advanced in years, he devoted much of his time to using whatever influence he could to improve its conditions. Every winter he used to undertake the long journey from Silesia to London,

or to Dublin, where he exerted himself among the politicians on behalf of the oppressed Catholics. In a peer of such social eminence and of such disinterested public spirit, the Catholic merchants, who provided all the driving force of the Catholic Committee, found an invaluable ally. He identified himself whole-heartedly with their efforts, and before long, when Lord Trimleston, as treasurer of the Association's funds, refused to tolerate any interference with his own use of them, Taafe supported them with all his authority. A serious crisis had arisen, through Trimleston's refusal to present the remonstrance against Catholic disabilities, which the Committee had prepared, and for a time even Taafe's strong support was powerless to override his attitude. The Catholics, says Wyse, were " once more flung back, by the very hands which should have most assisted them, to their original state of apathy and despair."

In the following year, 1763, the Association steadily disintegrated as a result of these divisions. Even the Catholic merchants lost heart, and it was not until ten years later that they attempted a new organisation. From the relics of the first Committee a second Committee was now formed, in which Lord Kenmare became the most active figure, uniting the influence which had formerly been divided between Lord Taafe and Lord Trimleston. Their first activities were of no serious importance, but economic conditions gradually brought about the introduction of several minor reliefs. It is an eloquent fact that the first actual relief that was conceded to Catholics in the United Kingdom was a statute entitled " an Act for the reclaiming of unprofitable bogs," which was carried through Parliament in 1771. The Act graciously conceded to the Irish Catholics the right to take leases of fifty acres of unprofitable bog for sixty-one years, with half an acre of arable land adjoining it, provided that it should not be within one mile of a town, and on condition that at least half of it must be reclaimed within twenty-one years. Their own reckless extravagance had begun to press heavily upon the spendthrift Protestant

ascendancy. For a second time, in 1772, and again in 1774, Monck Mason's Bill to enable Catholics to lend money to Protestants on the security of land was actually carried through the Irish Parliament, and even recommended by the Irish Privy Council, though it was overruled by English opposition every time. Townshend even still found it possible to write firmly to Dublin that the Popery laws were intended to be perpetual, that they had completely succeeded in their purpose, and this rash suggestion of borrowing from Catholics upon a mortgage "tended to revive an influence which it had been the study of the Legislature to destroy."

For the time being, therefore, the Catholics could hope for no more than to gain even the barest recognition of their existence by the Government. It was little more than ten years since an Irish Lord Chancellor, in deciding against them where an issue of the most obvious common justice was violated, in relation to a Catholic girl, had declared explicitly that "the law did not presume a Papist to exist in the kingdom; nor could they so much as breathe there without the connivance of the Government." With a remarkable spirit of caution and shrewd insight, the Catholics now directed all their efforts towards securing that minimum of legal recognition from which incalculable consequences were bound to ensue. They had discovered from the support given to such proposals as Monck Mason's Bill, that the economic distress of the Protestant landlords already assured them of considerable assistance up to a certain point, if they played their cards with discretion. If the Catholics could not lend money to the Protestant landlords because they were not legally recognised, the landlords themselves would have to see to their recognition as citizens, at any rate for the purpose that was required.

And now a new factor entered into the situation, the incalculable results of which no one could have foreseen. England was suddenly faced with threats of revolt in the American Colonies, and the revolt was being led by men

who were inspired by principles that far transcended any question of local or temporary discontent. Flood, one of the great patriot orators of the Irish Parliament, a man of immense idealism, but who shared all the violent prejudices of his generation against any concession to the Catholics, was to remind the Irish House of Commons afterwards in a historic speech, of the events that had intoxicated them and aroused their own irresistible demand for independence. "A voice from America shouted to liberty," he declared, "the echo of it caught your people as it passed along the Atlantic, and they re-echoed the voice till it reverberated here." The "people," even as Flood understood the term, in his passion for the new conception of liberty, had not even the remotest association with the vast down-trodden Catholic majority in Ireland. But this new spirit of revolt was desperately disquieting. It involved a direct menace of war; it involved a whole series of interminable arguments about the relation between representation and taxation, which the Government had not the smallest desire to discuss. But the spirit was spreading so rapidly that the conscience of the governing class grew uneasy, and they could not ignore that the position of the Catholic people in Ireland under the existing penal code was a deplorably difficult condition to justify.

The time for concession of some sort had plainly come—however disconcerting the potential consequences might appear, and the demand, skilfully pressed by the Catholic leaders, for the mere right to be allowed to express their loyalty directly to the King and his Viceroy, had become impossible to refuse. They asked for an Act of Parliament which would do no more but no less; and the Government could no longer withhold its consent. But the very preamble of the Act of 1774—which did no more than give to the Catholics a legal right "to testify their loyalty and allegiance to His Majesty, and their abhorrence of certain doctrines imputed to them"—was a formal admission, on the statute book itself, that it was solely "on account of their religious

tenets" that they were "prevented from giving public assurances of such allegiance, and of their real principles and good will and affection towards their fellow-subjects." That very admission was an irrevocable act of retreat from the penal code; and the mere acknowledgment of the right of Irish Catholics to be treated equally as citizens was a charter of liberty which they proceeded to use to the utmost.

The Act was still fresh on the statute book when the Catholics determined to avail themselves of their new security by presenting an address to the King with the object of informing him of their grievances, and, with sound judgment, they secured the services of no less distinguished a statesman than Edmund Burke to present their case for them. He performed his task with that combination of unimpeachable conservatism towards the constitution and of passionate eloquence against injustice which had already made him famous. When Burke had written the address, it was entrusted to three representatives of the Catholic gentry, Lord Fingal, Mr. Priston and Mr. Dermot, to deliver it to Lord Buckinghamshire for presentation to the King. The Act of 1774 conferred no direct advantage upon the Irish Catholics. It did no more than enable any Catholic who so desired to go before a magistrate or justice of the peace and take, in his presence, a prescribed oath of allegiance. But it was a concession won by the Catholics themselves, with a deliberate object as the starting point for further concessions, which, with astonishing rapidity, began to follow under the threat of war with America and with France.

CHAPTER III

THE FIRST CONCESSIONS

INCREASING anxieties in England, as the situation in America became more menacing, brought a new factor into play in favour of the Catholics. Just as the Irish landlords had found it necessary in their own interests to agitate for certain economic concessions to them, so the English Government, in its search for recruits for the army, was compelled gradually to abandon altogether the earlier prohibitions against allowing Catholics to carry arms. The introduction of Catholics into the infantry regiments had begun so far back as the late fifties; and it was asserted —probably with exaggeration—in the English House of Commons in 1771 that "a great part of the foot regiments in Ireland consisted of Catholics; that they were good soldiers, had always in the late war behaved well, particularly at Quebec, where one of the regiments (Lord Townshend's) was almost entirely Catholic. They were such good men in service that General Wolfe charged at the head of them." This admission of Catholics into the army had prepared the way for a systematic recruiting campaign among them when the war with America became really serious; and inevitable consequences had to be borne in mind. The presence of so many Catholics in the army became an immediate source of possible danger if nothing were done to admit their civic rights; and, before long, the Government, confronted with lavish professions of loyalty by the Catholic aristocracy and the new middle class, and dependent upon the loyalty of the Catholic soldiers in many regiments, was to realise that the demands for the removal of their disabilities could no longer be ignored.

Seeing the possibilities that had arisen with the new

conditions, the Catholics had skilfully followed up their success in obtaining the Act of 1774. Their first petition to the King against their principal grievances was signed by all the Irish Catholic peers and by more than 300 members of the gentry. The address began by expressions of gratitude for the mitigation in practice of the laws that had been directed against them; but pointed out that "still several, and those the most severe and distressing, execute themselves with the most fatal certainty." They complained of not being able to buy land or even to cultivate it "except on a tenure extremely scanted, both in profit and in time"; while they were liable to forfeiture of their leases if they improved the land by drainage or by enclosures. This petition gives a clear statement of the extent to which these disabilities were still actually enforced. "There are a set of men," the petitioners complain to the King in 1777, "who make it their employment to pry into our miserable property, to drag us into the courts, and to compel us to confess, on our oaths and under the penalties of perjury, whether we have in any instance acquired a property in the smallest degree exceeding what the rigour of the law has admitted; and in some cases the informers, without any other merits than that of their discovery, are invested (to the daily ruin of several industrious, innocent families) not only with the surplus in which the law is exceeded, but with the whole body of the estate and interest so discovered." Informers of this kind, the petition asserts, have almost come to escape the infamy of such conduct, "and have grown into some repute by the frequency and success of their practices." Most particularly they complain of the law which enables a son, "however undutiful and profligate," by conforming to the Established Church, to obtain complete control of his father's estate for ever—"a regulation," they complain, "by which a father, contrary to the order of nature, is put under the power of his son, and an early dissoluteness is not only suffered but encouraged, by giving a pernicious privilege, the use of which has broken the hearts of many deserving

parents, and entailed poverty and despair on some of the most ancient and opulent families of this Kingdom."

It is probable that, if the imminence of war with America and France had not compelled the King to listen to many uncomfortable truths, the Catholics would never have dared to present even this bare recital of their disabilities. But the situation had become thoroughly alarming. It had been impressed upon the Government that the penal code had produced extremely undesirable and dangerous results in forcing the Irish Catholics into a direct and widespread contact with Continental countries—not only for purposes of trade, but for the education which was forbidden to them at home. One of the most astute observers of the time, the Protestant Bishop of Derry, who travelled a great deal on the Continent, had become acutely aware of what this connection between Ireland and the Catholic countries of Europe now involved. In May 1778 he wrote from Rome a private letter to Pery, the Speaker of the Irish House of Commons, which must have had a profound influence upon the Irish Parliament. " If the war with France takes place," wrote the bishop—who was much more enlightened and tolerant than most of his contemporaries, " Ireland must almost inevitably be thrown into the greatest confusion ; the first blow will certainly be directed there, and the Roman Catholics, exasperated by repeated disappointments, are ripe for an almost general revolt. Whether this disposition originated here [in Rome], or was only stimulated and encouraged here, I cannot say ; but of this I am very well informed, that no encouragement is wanting, and that, some few prudent persons excepted, the hopes of the remainder are as sanguine as their exhortations are animated. The real intention is to render Ireland independent, and to establish, as in the Swiss cantons, a reciprocal toleration of religions, to abolish all tithes except such as are to be paid by the Roman Catholics to their own clergy, and to throw themselves under the protection of France, and, if possible, of Spain. If this attempt should not succeed,

their project is for them to make as general an emigration as possible, and to settle in that part of Spain which was offered to them some years ago, or else in a part of the Pope's territory which is within forty miles of Rome, and now actually preparing for some very extensive colony ; and, if my friend is not egregiously misinformed, this colony will be from Ireland. The disgust which prevails here upon the baffling of every attempt to relieve their countrymen is better conceived than expressed."

To this genial eighteenth-century agnostic the case for concession had become overwhelmingly plain, and his warnings from abroad were unquestionably a decisive factor in forcing the landlord Parliament to face the facts. The bishop was quite clear as to the remedies that were needed at once if the situation were not to become thoroughly dangerous. In the first place, the Catholics must be granted " a legal exercise of that silly but harmless religion which they now exercise illegally " ; and secondly, the repeal of the Gavel Act, which, by compelling an equal division of Catholic properties among all the children, " has so reduced the list of the Papist nobility that all the influence of the Popish people and gentry is thrown into the hands of the clergy."

Before this illuminating letter had been written, the Catholics had already petitioned the Irish Parliament about their grievances ; but the Lord-Lieutenant had considered that as " their complaints extend to almost the whole of the Popery laws, it does not appear that they are in any degree admissible." But events were developing quickly which compelled the Government to consider the whole position. The Irish Parliament had not yet asserted its claim to legislative independence ; and the small Acts of concession which had been passed in Ireland in 1771 and 1774 had been carefully considered by the English Government and by the King before they were allowed to pass. The sanction given to them had prepared the minds of the English Government for a further relaxation of the penal code, and had also stimulated the English Catholic aristocracy into a timid asser-

tion of their own claims to justice. Their numbers were so few that they had no advantages such as the Irish Catholics had, in making their claims a matter of urgent consideration; and they could only await some favourable opportunity for exerting their social influence, which still counted for a great deal.

Emboldened by the success which had been won by the Irish Catholic petitioners, they at last presented an address to the King on their own behalf. It was signed by the Duke of Norfolk, the Earls of Surrey and Shrewsbury, by Lords Linton, Stourton, Petre, Arundell, Dormer, Teynham, and Clifford, and by 163 commoners. It was the first collective address that the English Catholics had dared to present, and the obsequiousness with which men of such great social influence found it necessary to make their first petition shows the state of abject fear in which they had now been living for generations. "We most humbly hope," ran the address, "that it cannot be offensive to the clemency of your Majesty's nature, or to the maxims of your just and wise government, that any part of your subjects should approach your royal presence, to assure your Majesty of the respectful affection which they bear to your person . . ." and so on. They "beg to assure your Majesty that our dissent from the legal establishment in matters of religion is purely conscientious; that we hold no opinions adverse to your Majesty's Government or repugnant to the duties of good citizens. And we trust that this has been shown more decisively by our irreproachable conduct for many years past, under circumstances of discountenance and pleasure, than it can be manifested by any declaration whatever." They declare that "in a time of public danger, when your Majesty's subjects can have but one interest, and ought to have but one will and one sentiment, we humbly hope it will not be deemed improper to assure your Majesty of our unalterable attachment to the cause and welfare of this our common country, and our utter detestation of the designs and views of any foreign power against the dignity of your Majesty's crown, the safety and tranquillity

of your Majesty's subjects." And finally, while they " do not presume to point out the particular means by which we may be allowed to testify our zeal to your Majesty, and our wishes to serve our country," they " entreat leave to assure your Majesty " that they will be perfectly ready on every occasion to give whatever proofs of their fidelity and the purity of their intentions might be required.

This public expression of loyalty was the prelude to almost immediate action in Parliament, and on 18th May the first great Bill for Catholic Relief was introduced into the English House of Commons. The debates in both Houses in England showed what general disapproval was now felt towards the more extreme sections of the penal code—which had, in fact, never been utilised in England, as it was for generations in Ireland, as a deliberate system for the destruction of Catholic property and the degradation of the Catholic people, in order that a small Protestant ascendancy might be secured in its position of privilege. Within a few weeks the Bill had been carried almost without opposition through both Houses ; and the first decisive repeal of part of the penal code had taken place, which was to compel the Protestant ascendancy in Ireland to give a similar measure of relief.

This English Act of May 1778 nevertheless went further than the Irish Parliament was yet prepared to go. Its main provisions may be briefly stated. While it did not repeal the whole Act of William, it did repeal the clause concerning the prosecution of Catholic " bishops, priests and Jesuits " ; it abolished the punishment of perpetual imprisonment for Catholics who kept schools ; and it enabled Catholics to inherit or to acquire real property. Although it did not repeal the penalties that might be imposed upon all who sent their sons to be educated as Catholics abroad, and although it still left the Lord Chancellor under obligation to order maintenance for any Protestant child of a Catholic parent, yet the Act did, under the prevailing conditions in England, effect a complete breach in the whole penal code. Charles Butler, in his account of it, points out that " every

pain, penalty and disability inflicted by other Acts remained" in force against the Catholics after the passing of the Act; but conditions in England—where no violently anti-Catholic feeling animated the Government and where the Catholics had preserved a very considerable social influence—were such that the battle was already half won, almost without encountering resistance in Parliament. Butler himself admits this when he says that "though the benefits which the Catholics derived from this Act were limited, the advantages which they derived from it in other respects were both substantial and extensive. It struck the general prejudice against them to its centre; it disposed their neighbours to think of them with kindness; it led the public to view the pretensions to further relief with a favourable eye; and it restored to them a thousand indescribable charities in the ordinary intercourse of social life which they had seldom experienced."

In Ireland, under instructions from London, a similar Act was now almost immediately brought forward; but the spirit of the Irish ascendancy was still determined to resist even what had been already granted in England. The Bill which Mr. Gardiner introduced was due to the generous impulses of certain independent members: but the Government gave its approval and supported the advocates of relief against its opponents. Even so, however, the Irish Catholics were not allowed the same rights as were given a few months before to the Catholics in England. The prejudice against allowing Catholics to own land was still too strong, and the Act was reduced to a compromise under which they were allowed to take leases for 999 years, being still obliged to pay at least a nominal rent to the Protestant owner of the freehold. At the same time it abolished the law which had enabled any Catholic who conformed to the Established Church to become possessed of property; and the estates of Catholics were no longer to be divided among all the children. The results of these far-reaching concessions were incalculable; and, with a new sense of security and of courage derived from the victory of their own agitation, the

Irish Catholics quickly developed a spirit of revolt against injustice, which could no longer be kept in subjection.

But while the Catholics in England had secured, by merely presenting an obsequious address of loyalty, more than the Irish Catholics had gained after twenty years of organised effort, the Catholics in Scotland were expressly excluded from all corresponding relief. A proposal for its extension to Scotland had been made, but it was withdrawn at once in deference to a popular agitation of extraordinary violence among the Presbyterians. A solemn fast was proclaimed in Glasgow in October as a demonstration of popular protest, and, on the following Sunday, a small house where a handful of Catholics had assembled for Mass was attacked, and the Catholics were driven out with stones. A fierce revival of extreme Protestantism rapidly gathered strength, and in February another house in Glasgow where the Catholics had taken refuge for their religious gatherings was attacked and burnt down. The magistrates intervened, and Mr. Bagnal, who owned the house, was promised full compensation; but such interventions to protect the Catholics only intensified the popular frenzy. Similar riots took place in Edinburgh, and only the arrival of the Duke of Buccleuch with the support of dragoons restored order. Eminent men who had expressed sympathy with the Catholics were victimised no less savagely. In March 1779 the Catholics of Scotland found it necessary to present a long petition to Parliament which stated pitifully, with ample evidence, that " nothing can be more deplorable and (without the effectual aid of the Legislature) more hopeless than our condition." Edmund Burke moved that the petition be referred to a Committee of the House, and carried his motion against the fierce opposition of Lord George Gordon. In May, Lord George Gordon raised the matter again, moving that Burke's petition should be " thrown over the table "; and as he failed even to find a seconder for his violent attitude, he turned his attention to arousing Protestant bigotry outside the House.

From Scotland the revival of anti-Catholic feeling had

been slowly spreading, under the direction of its fanatical organisers, since the introduction of the Relief Act of May 1778. In two years their preparations had been perfected. "Of a sudden," writes Lord Stanhope, "like a meteor rising from the foulest marshes, appeared those fearful riots, to which the most rank intolerance gave origin, and Lord George Gordon a name." At a public meeting Gordon had announced that on 2nd June 1780 he would present a petition to the House of Commons for a repeal of the Act of 1778. An organised demonstration, including some 60,000 petitioners, accompanied him from St. George's Fields to Westminster, and deliberately attacked every Member of Parliament who was known to be friendly to the Catholics. Peers arrived in the House of Lords with their clothes in tatters, and covered with filth. But the Government refrained from interfering beyond sending the Foot Guards to protect the Houses of Parliament. The mob stormed down to the two Catholic chapels of Warwick Street and Lincoln's Inn Fields, and burned them to the ground. On Sunday they broke out savagely again, wrecked the Catholic chapel in Moorfields, and dragged out all the furniture, as well as pillaging the houses, of Catholics in the district, whose belongings were thrown on to bonfires in the streets. Next day the Privy Council met, but did no more than offer a reward for information as to who had burned the chapels of the ambassadors. That evening two more chapels were set on fire by the mob, and the house of the Protestant Sir George Savile, who was the author of the Catholic Relief Bill, was ransacked. Edmund Burke's life was threatened, and he had to take refuge with his friend, General Burgoyne. Armed guards had to surround the Houses of Parliament next day, but the Prime Minister's own house was attacked and only saved by the troops arriving. Newgate Prison, where some of the rioters had been imprisoned, was stormed and burnt outright, while every prisoner was set free. The same thing happened at Clerkenwell Prison. Magistrates were powerless while their own

houses were being savagely destroyed. Lord Mansfield, the Lord Chief-Justice—who had saved several priests, including Bishop Talbot, by refusing to accept the evidence of ignorant informers who alleged that they had said Mass—was next set upon. His family had barely escaped before the mob descended upon his house. Its whole contents of every kind was flung out of the windows and made a bonfire.

"It might be said," records Lord Stanhope, "that for two days the rabble held dominion in the town." Yet in truth the Government had not dared to interfere, even when the military were actually upon the scene. Magistrates hid themselves in panic, and the Privy Council was informed that none would do their duty. It is to the credit of George III that, in face of such an outrageous situation, he showed high personal courage. "There shall be at all events one magistrate in the country," he exclaimed as he rose up in the Privy Council, "who will do his duty." The proclamation issued by the King himself brought the rioting to a sudden end. Two hundred persons were shot dead that night in the streets, and as many more were carried wounded into the hospitals. The rioting ceased; but Lord George Gordon had done his work with remarkable thoroughness. His protests against the Relief Act of 1778 had led to the formation of the Protestant Association in the following year, and he became its President. It was this Protestant Association that had organised and directed the riots which paralysed the Government in London itself; and among its most ardent defenders was the great preacher Wesley, whom Bishop Milner regards as "the chief author of the riots." This combination of fanatical Protestantism, inspired by a great popular preacher, with an immense weight of social and political influence, as the Association developed its strength, was to be a very formidable obstacle to any further concession to the Catholics; and, in the following years, it was only the constant and urgent fear of war that compelled the Government to attend to the claims of the large Catholic population in Ireland.

CHAPTER IV

THE ENGLISH CATHOLICS

The contrast between the gradual evolution of a Catholic democratic agitation in Ireland and the activities of the English Catholic minority during the same period could scarcely have been more complete. But the conditions of Catholics in the two countries had been utterly different for several generations. In Ireland, the Catholic question involved no less than the overthrow of a political system which made no pretence of being in sympathy with the mass of the people, or even with the Catholic gentry, but which deliberately and admittedly maintained its position by resisting the concession of all civic rights to the great majority of the population. But in England there was no such sense among Catholics of being the victims of a political system entirely alien to their own traditions. Parliament was, to them no less than to other Englishmen, the ancient custodian of civil liberties for all the people ; and although it had for several generations legislated with extreme injustice against the Catholics, there was every reason to expect that it would respond in time to properly presented appeals for equal justice. And by the middle of the eighteenth century many of the laws against the Catholics had become altogether obsolete ; while their social influence and their great estates—which Parliament had never attacked in the vindictive spirit of the Irish Protestant ascendancy—had already enabled them to break down some of the most rigid barriers erected against them by laws which had never been systematically applied.

They were admitted to the intimate friendship even of the bigoted royal family. Lord Petre even entertained King George III at his own house in 1781, and Mr. Weld, of

Lulworth, had not only had the King as his guest at Lulworth, but was advised by the King himself as to the best way of building a private chapel which would not incur interference. It was George III who actually suggested to Mr. Weld that he should build a family mausoleum, to divert attention from its real use, and fit it up inside as a Catholic chapel. Mr. Weld had also been publicly to Court in London; and later, the King's son, George IV, was to fall madly in love with Mrs. Fitzherbert, whose first husband had been Mr. Weld's son, and to marry her clandestinely, at the risk of violating his Coronation Oath. The pathetic story of her secret relations with the Prince of Wales before he found it advisable to ignore his marriage to her and take to himself a royal consort, was an illustration of the anomalous position in which the English Catholics were placed. The Catholic aristocracy were socially on a level with any other members of their class. Lord Petre had been Grand Master of the English Freemasons. There was no more condescension in the Prince of Wales falling in love with the widowed Mrs. Fitzherbert than there was in his many other love affairs. He did, it is true, find that she, as a strict Catholic, refused to become his mistress, as the others cheerfully did; and she consented to return from the Continent only upon condition that he married her, however secretly. But apart from these questions of conscience there was always the probability that some vexatious legal difficulty might cut painfully across the ordinary social relations of a life which was generally undisturbed for the Catholic gentry.

At the close of the eighteenth century the Catholic aristocracy still dominated the whole Catholic population in England in an almost feudal way. It was entirely owing to their social influence and wealth that the Catholics had been able to preserve the practice of their religion; for the aristocracy not only succeeded in keeping chapels in their own great houses, which became the centres of each local congregation, but also provided the clergy, whom they maintained

as their private chaplains. Berington's description of the state of Catholics in England in 1780 is generally accepted as an accurate account of their numbers and their distribution. He estimated their total strength at that time at about 60,000, and he held that their number was steadily diminishing. In many counties, he said, scarcely a single Catholic was now to be found. Next to London (where the Ambassadors' Chapels provided centres of worship for a very miscellaneous and scattered Catholic population) by far the greatest concentration of Catholics was in Lancashire. Several of the other northern counties—Yorkshire, Northumberland, Durham, Staffordshire—had a good many ; and the few chapels in various manufacturing and trading towns, especially in the north, where Irish immigrants had come in, were exceptionally crowded. But nearly everywhere else the Catholic population were little more than groups of dependents gathered around the aristocratic families. " They are the servants, or the children of servants who have married from those families," writes Berington, " and who choose to remain round the old mansion for the conveniency of prayers [*i.e.* the Mass], and because they hope to receive favour and assistance from their former masters." But even these isolated remnants of Catholicism were constantly disappearing. Every few years added one more to the list of famous titles which passed out of Catholic hands—including even the Dukedom of Norfolk between 1786 and 1815—as some head of the family conformed, in desertion of a noble tradition of allegiance through persecution. In 1780 Berington enumerates the remaining strength of the Catholic aristocracy as including only eight peers, nineteen baronets, and about a hundred and fifty gentlemen of landed property. Among the peers, the Duke of Norfolk, Lords Shrewsbury, Arundel, and Petre each possessed considerable estates ; but among the rest, with few exceptions, most had less than £1000 a year income from landed property. " Within this year alone," writes Berington, " we have lost more by the defection of the two mentioned gentlemen (the heirs of the Duke of

Norfolk and Lord Teynham) than we have gained by Proselytes since the Revolution."

But while aristocratic patronage, and the protection of great houses, played so large a part in the Catholic life of England throughout the eighteenth century, it was in the poorest surroundings and under the necessity of deliberate secrecy that a great deal of the clergy's administration had to be conducted in their work for the local missions. It was quite usual for priests to say three Masses on Sundays, as they had to provide for all the Catholics scattered over wide districts. Bishop Challoner, the Vicar Apostolic of the London District, was the most active force in preparing for the revival at the end of the eighteenth century, and it was Milner himself, as a young priest at Winchester, who said of Challoner, in his panegyric of the dead bishop, that " the catacombs where the ancient Christians held their assemblies in times of persecution were elegant and commodious," compared with the " obscure retreats " where Challoner used to preach to the scattered remnants of the faithful. Not only did the Bishop of the London district have to make use of " some obscure inn or public-house " for such occasions, but each member of the congregation would " have his pipe, and sit with a pot of beer before him, to obviate all suspicion of the real character of the guests and the purpose of their assembly." So, it was in a public-house near Lincoln's Inn Fields that the famous Dr. Archer earned his reputation as a preacher ; while Bishop Challoner himself used to hire a cockpit for delivering his own sermons.

Under such conditions there was little likelihood of any organised victimisation of Catholics, who invariably led cautious and retiring lives ; and the Act of 1778 had already given legal confirmation to the virtual extinction of many vexatious penal laws against them. In addition to guaranteeing Catholics in the ownership of land, the Act had removed all lingering anxiety as to the possible activities of informers, who occasionally—though they had been severely discouraged for some time before the Act—laid information against

Catholic priests and schoolmasters for the purpose of claiming the informer's reward. The rewards were now completely withdrawn, and priests and schoolmasters were no longer made subject to imprisonment for life.

Ten years after the Act of 1778, which had been carried without any agitation by the Catholics in England, they decided to present a memorial to Pitt which stated a catalogue of their legal disabilities. The list may be summarised as showing their principal grievances—though many of them were more or less obsolete—at the time when the Relief Act of 1791 was passed. Catholics, say the petitioners in the first place, "are prohibited under the most severe penalties exercising any act of religion according to their own mode of worship." They were also still subject to heavy punishment for keeping schools, or for educating their own children as Catholics at home, or for sending them to be educated abroad. They might not serve in either the army or the navy, or practise as lawyers. "They are obliged on every occasion to expose the most secret transactions of their families, by reason of the expensive and perplexing obligation of enrolling their deeds. They are subject, by annual acts of the legislature, to the ignominious fine of the double land-tax." They had no votes at parliamentary elections and could not sit in either House of Parliament. They were "excluded from all places, civil and military." And finally, "their clergy for exercising their functions are exposed to the heaviest penalties and punishments, and in some cases to death."

The answer given by Pitt to this memorial must be postponed for a brief consideration of the Catholic Committee which presented it. The difference between the Catholic Committees in Ireland and in England was almost as remarkable as the contrast between the Catholic population in the two countries. Whereas the Irish Committee came into existence and devoted its entire activities solely to promote the repeal of the penal laws, the Catholics in England did not even form a committee until the year 1782, and its efforts

from the beginning were as much directed towards emancipating the Catholic laity from the ecclesiastical authority of the bishops as towards emancipating the Catholic body from the penal code. " It is difficult," writes Bishop Ward in reviewing the melancholy and disedifying story which fills his five large volumes, " to define the causes of the rising at the time of an anticlerical spirit in the Catholic body, or to analyse the feelings which in their ultimate issue resulted in actions which seem now almost incredible. We cannot believe that such good and devout members of the Catholic laity could have been at heart disloyal. Yet it cannot be denied that there had grown up amongst them an undefined sense of distrust of their spiritual rulers, and a suspicion that the bishops were taking too strict a view of the position of Catholics. There was undoubtedly a feeling that the accepted attitude of dependence on the Holy See was incompatible with the national aspirations and duties of an Englishman ; and it was even questioned whether the penal laws themselves had not been, at least to some extent, due to the unreasonable attitude assumed by the Catholics of former days."

That the aristocracy should at this time claim to speak for the Catholics of England—including the clergy, who depended so directly upon their own generosity and loyalty to the Church—was not only natural but, to a certain extent, just. But it happened that in this small society of men who had grown up in an abnormally ecclesiastical atmosphere, and who, in fact, exercised a very great direct influence upon their clergy, a strong reaction against the central authority of Rome, which was fashionable throughout Western Europe at the time, had begun to affect all their views. It revealed itself quite defiantly in the formation of their Cisalpine Club, whose title was intended as a deliberate challenge to the Roman claims of the Ultramontane school. And while it is easy to suggest that the title was the outcome of their constant desire to impress Protestants that the English Catholics yielded to no one in their loyalty to the Crown, yet this tendency of the time towards a revolt against ecclesiastical

discipline was unquestionably a strong factor in determining their attitude. It was unfortunate indeed that a few earnest men, who had most to do with the activities of the Catholic Committee — especially Sir Henry Throckmorton, Lord Petre, and, to a lesser extent, its indefatigable secretary Charles Butler—were profoundly influenced by such ideas, and did not hesitate to use their position as the spokesmen of the Committee to proclaim such doctrines in the name of the whole Catholic body in England.

The Committee was first formally constituted in June 1782, consisting at first of five members, to whom five more were soon added as direct representatives of the different districts. Charles Butler, a lawyer of most exceptional abilities and learning, and of immense industry and devotion to the Church, was elected as its secretary. It decided that an annual meeting of the English Catholics should be held every May, and it assumed responsibility for the direction of Catholic public questions. The first symptoms of future trouble with the bishops appeared at the very outset, when a proposal that representatives of the clergy should be included in the Committee was immediately rejected. There is a letter extant in the handwriting of Bishop Milner—who was for so many years to be engaged in a fierce feud with Charles Butler and the Catholic Committee generally—which describes the resentment of the clergy at this attitude, and their own decision to repudiate the Committee " who reject the advice of their clergy in matters that immediately concern them." And years afterwards Milner was to assert, in one of his innumerable controversial writings, that from the formation of the Catholic Committee dated the beginning of " that system of lay interference and domination in the ecclesiastical affairs of English Catholics which has perpetuated divisions and irreligion among too many of them for near the last forty years." But Milner's sweeping statements of this nature must not be taken too literally. He was incomparably the ablest and most active of the Vicars Apostolic after his consecration as a bishop ; and for many years

before his consecration, while he worked as a priest in Winchester, his great gifts as a pamphleteer and as a preacher were devoted tirelessly to opposing the heretical tendencies which were so strongly evident in the Catholic Committee. But Milner's intemperance of language, his uncontrollable excitement whenever he disagreed with any proposal, and his utter lack of any conciliatory disposition, did in fact contribute, nearly as much as the anticlerical tendencies of the Catholic Committee, to divide the Catholics of England into two opposing camps. His vehemence and his personal animosities were so devastating that he frequently drove the other Vicars Apostolic into supporting the Catholic Committee against his attacks ; while even so saintly a priest as the Abbé Carron was to declare that Bishop Milner's elevation to the episcopate had been a calamity to the Church in England.

There was nevertheless ample ground for the suspicions with which Milner viewed the Catholic Committee from its earliest actions. The original committee formed in 1782 had already become engaged in extremely dangerous controversies with the bishops when it resigned in 1787 ; and a new committee was elected, consisting mostly of the same members as before. It was now definitely proposed to take steps to secure the introduction of a Catholic Relief Bill in Parliament ; and the distrust with which the Committee regarded the bishops was apparent immediately. Many of them were already convinced that it was the intransigence of the bishops, in regard to various oaths of allegiance which were proposed in order to satisfy the Government, that had been the chief cause for the delay in abolishing the penal laws. Sir Henry Throckmorton even made the amazing statement that a Catholic could conscientiously take the existing Oath of Allegiance, which denied to any foreign person " any jurisdiction, ecclesiastical or spiritual "—on the ground that the word " spiritual " was often used in a wider sense. And the whole question was to become critical when a " general meeting of Catholics," in February 1788, formally approved the memorial which was prepared for presentation to Pitt. A

deputation eventually waited upon Pitt, who was already in touch with their activities through his friend, Mr. Fermor. The instructions which they received said that in their interview with the Prime Minister they must try to obtain a Bill in the present session and press particularly for the admission of Catholics to the army, the navy, and the Bar, while leaving it to the Government to suggest practical proposals.

Pitt received the deputation in May, and expressed real sympathy with their claims, but suggested that they would do better, in their own interests, to have the Bill introduced in the following year, since it could not possibly be carried that session. He apparently gave some idea of how far the Government might be willing to go, and in the meantime he made the rather curious request that the Catholics should "furnish him with authentic evidence of the opinion of Catholic clergy and Catholic Universities with respect to the existence or extent of the Pope's deposing power." The Committee met at once, decided upon the particular reliefs which they would request—admission to the navy and army and to practise as lawyers and doctors, and full rights equal to those enjoyed by Dissenters in regard to property. They then issued to the Catholic Universities of Paris, Louvain, Douai, Alcala, Valladolid, and Salamanca a request for answers to doctrinal questions which Pitt had raised. The answers were soon received and were unanimously to the following effect: "That the Pope, or Cardinals, or any body of men, or any individual of the Church of Rome: (1) *has not*, *nor have* any civil authority, power, jurisdiction whatsoever within the realm of England; and (2) *can not* absolve or dispense with His Majesty's subjects from their oath of allegiance, upon any pretext whatsoever; and (3) that there *is no principle* in the tenets of the Catholic Faith by which Catholics are justified in not keeping faith with heretics or other persons differing from them in religious opinions, in any transaction either of a public or of a private character."

This demand for theological opinions made by Pitt is in

marked contrast with the deliberately oppressive attitude adopted by the Irish Government in reply to any demands for the Catholic relief. Pitt was obviously anxious to consider the Catholic petition on its merits. There is other evidence to show that he took a personal interest in Catholic theology. Bishop Milner's biographer records that about the year 1791 " he was seen one day to go into the shop of Coghlan, the Catholic bookseller, and purchase a little catechism which he read attentively as he walked away down the street." As for current Catholic literature, the prevalent practice of sending copies of new pamphlets or controversial books to all Members of Parliament must have given ample material to choose from. So diligent a propagandist as Bishop Milner never neglected that obvious method of obtaining a hearing. Pitt thus became acquainted with Milner's writing while he was still a comparatively young priest. His *Statement of Facts*, which was written in 1791 to counter the efforts of the aristocratic Catholic Committee towards obtaining sanction for the oath that the bishops had condemned, was quoted in the House of Commons by the Attorney-General ; and Pitt had so far grasped the fundamentals of the controversy that he uttered the luminous declaration : " we have been deceived in the great outlines of the business ; and either the Papists shall be relieved or the Protestant Dissenters shall not gain their ends." Some ten years later, just before Milner became Vicar Apostolic after the death of Dr. Stapleton, Pitt was again to be influenced by this indefatigable pamphleteer, who had published (under a characteristically elaborate title, which is usually condensed as *The Case of Conscience Stated*) a tract intended to overcome the scruples of George III in regard to emancipating the Catholics, which arose from his own Coronation Oath. Pitt not only read this tract, but wrote to Milner a letter which he kept in his possession, stating that " the King had read the treatise, and that it had entirely satisfied his mind and removed his difficulty."

But while Pitt's desire for a formal declaration by the

English Catholics, designed to allay Protestant prejudice, was natural enough, the Catholic Committee now proceeded to formulate a Protestation with the same object in which their anti-Roman views became startlingly apparent. It went far beyond the simple answers to precise questions which had been obtained from the Catholic Universities at Pitt's request; and it declared roundly—among other highly equivocal statements—that "we acknowledge no infallibility in the Pope, and we neither apprehend nor believe that our disobedience to any such orders or decrees (should any such be given or made) could subject us to any punishment whatever." Papal infallibility, it is true, had not yet been declared an article of faith; but it was so generally accepted in most Catholic countries that this vehement language by the Catholic Committee was extremely provocative. Difficulties arose at once in obtaining the signatures of well-known Catholics, and especially of the Vicars Apostolic, to this extraordinary document; and as the preparations for the Catholic Relief Bill advanced, dissension among the English Catholics became more and more acute. A protracted controversy developed over the terms of the new Oath which was to be included in the Bill, which cannot be described in detail here. But one amazing feature of the Bill demands special attention.

It was undoubtedly characteristic of the Catholic Committee as a whole that they resented keenly the suggestion of disloyalty which was attached to Catholicism in the eyes of the Government; and they had become definitely anxious to discard the offensive terms Papist and Popish, by which Catholics were usually designated on the statute book. Their own anti-Roman views encouraged them to believe that a formal repudiation of the nickname would strengthen their professions of loyalty to the Crown. They found a possibility of escape from its associations in the fact that their own claims to relief were constantly being compared to those of the Protestant Dissenters. To a later generation, which accepts the Infallibility of the Pope as an article of faith and

among whom a personal affection for the Holy Father is increasingly strong, this desire for a formal dissociation of Catholicism from Popery sounds almost blasphemous. But the Catholic Committee did, in fact, seize eagerly upon the suggestion that, instead of being called Papists, they should be described henceforward as " Catholic Dissenters," and the combination of anti-Roman principles with an overwhelming desire to demonstrate their respectable intentions as citizens even led them into accepting, and even into adopting with enthusiasm, the amazing designation of " Protesting Catholic Dissenters." Bishop Ward, who is always scrupulously careful to tone down his criticism of the anticlerical tendencies of the Committee, goes so far as to say that " it is hard to escape the conclusion that they expressly wished to pose as people who had much in sentiment that was common with Protestants." The Catholic Committee quite definitely adopted the suggestion to substitute this ridiculous title for the Catholics of England. It was explained, and formally recommended, in their manifesto in favour of the proposed Bill, on the ground that " the persons in question are termed *Dissenters* because they *dissent* in certain points of Faith from the Church of England ; that they are termed *Catholic* because they profess to be members of the Catholic Church ; and that they are termed *Protesting* because they have protested, and are willing to protest against, and to declare that they do not hold, the doctrines attributed to them."

This attitude was in two ways equivocal. It not only expressed a scarcely veiled desire to claim recognition as being Protestants, but it immediately committed them to approval of a new discrimination between Protesting Catholics and other Catholics. The Bill, when it was introduced, did actually contain this distinction—to such an extent that a Catholic who took the oath of allegiance might legally educate his children as " Protesting Catholic Dissenters," while a Papist of the old school was to remain subject to the existing penal laws. It is to the lasting credit

of the English bishops, and of a small section of the Catholic aristocracy, that they asserted themselves quite definitely against the acceptance of any such proposals. In October the four Vicars Apostolic met and decided to issue immediately a joint pastoral letter to all the Catholics of England, declaring that the Oath which had been prepared by the Catholic Committee for inclusion in the forthcoming Bill was one which no Catholic must take ; and further, that none of the clergy or laity " ought to take any Oath or sign any new Declaration in doctrinal matters, or subscribe any new Instrument wherein the interests of religion are concerned, without the previous approbation of their respective Bishop."

But the Committee were by this time so attached to their own proposals, and so increasingly aggressive in asserting their own claim to take entire charge of Catholic public affairs, that they now devoted themselves chiefly to finding means of evading direct conflict with the hierarchy. They proceeded in their negotiation with the Government without allowing the Vicars Apostolic to know what was being prepared. Through 1790 these negotiations dragged on, while the relations between the Catholic Committee and the bishops became more and more strained. Even on the last day of the year, Butler wrote to inform the Vicars Apostolic that the Committee were not coming to town until the assembly of Parliament, and that no business would be transacted until the session opened in which the Catholic Relief Bill was now confidently expected. Similarly evasive replies were sent by Lord Petre and Lord Stourton ; and the bishops decided to forestall the impending controversy by issuing, towards the end of January, a second formal condemnation of the proposed Oath, and emphatically repudiating the designation of " Protesting Catholic Dissenters." The Committee, within the following month, replied to this firm attitude of the bishops by an act of most overt defiance. In a " Manifesto and Appeal " to the bishops, which was printed soon afterwards, they

traversed all the statements which the bishops had made, and concluded with an amazing paragraph, in which the Committee announce that :

" We, the Catholic Committee, whose names are hereunder written, for ourselves and for those in whose trusts we have acted, do hereby before God solemnly protest and call upon God to witness our protest against your Lordships' Encyclical letters of the 19th day of October 1789 and the 21st day of January last, and every clause, article, determination, matter and thing therein respectively contained ; as imprudent, arbitrary and unjust ; as a total misrepresentation of the nature of the Bills to which they respectively refer, and the Oaths therein contained ; and our conduct relating thereto respectively ;—as encroaching on our natural, civil and religious rights, inculcating principles hostile to society and government, and the constitution and laws of the British empire ; as derogatory from the allegiance we owe to the state, and the settlement of the crown ; and as tending to continue, increase and confirm the prejudices against the faith and moral character of the Catholics and the scandal and oppression under which they labour in this Kingdom."

Milner, who was not yet a bishop but was one of the protagonists on behalf of the bishops against the Committee, described this astounding document in his own exuberant style as " a stunning complication of profaneness, calumny, schism and blasphemy " ; and its extravagantly disrespectful attitude, in fact, helped the bishops considerably by driving a number of laymen and of the clergy to dissociate themselves from their previous support of the Committee.

While strife was thus openly developing between the Catholic Committee and the bishops, the Bill, which the Committee had helped greatly to prepare, was introduced in the House of Commons. Pitt expressed his own approval of it, and was proposing that it should pass to its Committee stage, when Fox rose to protest against the inadequacy of its concessions, and, at the same time, announced that he would himself move to omit the word " Protesting " in the

new designation of the "Protesting Catholic Dissenters," on the ground that all Catholics, whether "Protesting" or not, ought to be relieved. Fortunately the bishops were now able to turn to one outstanding Catholic layman, of great social influence, Mr. Weld, of Lulworth, who was a personal friend of Pitt as well as of the King. They had received no warning as to when the Bill would be introduced, or as to its contents; and they now implored Mr. Weld to write urgently to Pitt to protest against the oath which it contained. He did so, in his own name and on behalf of "many others who are circumstanced with respect to the Committee as I myself am," in refusing to acknowledge any authority on its part to speak for the Catholic body. Mr. Weld claimed that his own views were shared by "most of our clergy" and by "a considerable part of my Catholic fellow-subjects, whose signatures the sudden notice of the intended motion in Parliament hinders at present from being collected." He then came at once to London and obtained a personal promise from Pitt that no hurried decisions would be taken. Other influential Catholics hastened to London also, and a hectic week was passed in private negotiations. Milner, acting on behalf of the Vicars Apostolic, wrote and distributed various passionate denunciations of the proposed oath and of the Committee, to which the Committee replied in a truly amazing document. They announced that in challenging their right to speak on behalf of the Catholics, Milner had been able to produce "only three names"—the three anonymous persons so referred to being none other than the three Vicars Apostolic! "We have never heard," the Committee proceeded, with astounding insolence, "that those three persons were ever chosen by the Catholic body to transact business in their names. No meeting was ever called for the purpose, and although attempts have been made by them to procure a counter Protestation, never could they obtain any one respectable name to it. It remains with the Wisdom and Condescension of Parliament to

determine whether it will accommodate itself to the scruples of a few individuals."

But while Milner's vehemence had deplorable results in provoking the Committee into these scandalous misrepresentations, and in accentuating the conflict between the Committee and the bishops, he at least frightened the Committee into a feeling that they were losing the confidence of the Catholic body. When the Committee stage was at last taken on 1st April, Mr. Mitford proposed to amend his own Bill by substituting for the offensive term "Protesting Catholic Dissenters," the straightforward and honourable title of "persons professing the Roman Catholic religion." Mitford explained that he had introduced this change at the request of the Catholics themselves. Various amendments were also made to the Oath which Catholics had to take. But the Oath still remained so obnoxious that several of the bishops were not yet prepared to admit the possibility of its being taken. There still remained the House of Lords as a last hope of securing amendments; and as a last resort the bishops endeavoured to obtain an improvement in the Upper House. Bishop Walmesley, as the senior Vicar Apostolic, wrote personally to the Archbishop of Canterbury to solicit his aid, and even requested that the Bill should be defeated altogether rather than that it should pass in its present form. At the last moment help came from a wholly unexpected quarter. Dr. Horsley, the Anglican Bishop of St. David's, delivered a speech requesting an amendment of the Oath to make it acceptable to the Catholic body, which created a profound impression. When the Committee stage was reached Dr. Horsley proposed as a straightforward amendment that the Irish Oath of Allegiance be substituted instead. His amendment was adopted, and the long controversy was thus safely ended—to the lasting credit of the bishops and of the unorganised laity, led by Mr. Weld, of Lulworth, who resisted the pretensions of the Catholic Committee.

On 24th July 1791 the Catholic Relief Act came into

Charles Butler

operation, and Catholics were at last made free to exercise their religion in England without incurring legal penalties. The new law was far from deserving the title of an Emancipation Act, but it was at least a charter of toleration. It gave legal sanction to the practice of religion and the building of churches and other activities, which in recent years had been more or less openly conducted in defiance of the obsolete penal laws. Even now the restrictive provisions of the Act were by no means generally enforced. It is estimated that only some five thousand of the clergy and laity took the new Oath of Allegiance, which had been inserted chiefly to allay Protestant fears. The other provisions of the Act were curiously vague and almost contradictory. One of its clauses removed all penalties for Catholics "teaching and instructing youth as a Tutor or Schoolmaster," subject to certain restrictions; while another forbade the foundation or endowment of any Catholic "School, Academy or College." But in practice it enabled Catholics to teach with impunity. The admission of Catholics into the professions under the Act was not nearly so important a concession as it was under the Act of 1793 in Ireland, where the Catholic barristers soon became an immensely powerful reinforcement to the merchant class in the Catholic agitation.

No further relief of any wide importance was obtained by the English Catholics until the successful climax of the Irish agitation under O'Connell nearly forty years later. But their number was so few that their exclusion from Parliament, and even from the franchise, was rather an indignity than an act of grave oppression; since the exercise of their rights would have made practically no difference to the legislature in England, whereas in Ireland the Catholics could count upon winning a majority of the seats in Parliament within a very few years, once emancipation had been obtained.

CHAPTER V

THE NEW LEADERS IN IRELAND

WHILE Mr. Gardiner's Relief Act was passing through the Irish Parliament in 1778, the Catholics had already been able to discern the incalculable aid that was henceforward to be given to them by a Protestant gentleman, whose fearless courage and integrity, no less than his extraordinary gift of eloquence, gave him a unique place in the history of the time. Henry Grattan was by far the ablest and the most gifted of the enlightened and generous-minded group who devoted their whole efforts to the joint causes of parliamentary reform and of Catholic emancipation. For years Grattan fought a desperate and utterly unsuccessful battle against the appalling corruption of the Irish Government. In his hatred of corruption he discovered that the only hope of improvement lay in parliamentary reform ; and in his desire for a system which would replace the unbridled power of the great borough owners by an equitable representation of all classes, he saw, at a time when very few of his class were capable of admitting the uncomfortable truth, that the penal code which deprived the vast majority of the population of all civil rights must be utterly abolished. But Grattan was not only a zealous reformer, but an ardent nationalist. And in his conviction that legislative independence alone could liberate the country from the corrupt practices which the English Government employed, as a deliberate system for preserving a majority in the Irish Parliament, he evolved a conception of the Irish nation which included the whole Catholic people. In his philosophy of politics Grattan's views were in most respects almost identical with those of Edmund Burke ; and although he shared Burke's absolute hatred of all injustice, he was as

staunchly conservative as Burke in his belief that property must be the chief basis of all representation. To that extent he was out of sympathy in later years with the increasingly democratic tendencies of the Catholic movement. But in the first stages of emancipation the Catholics could not have found a more completely devoted and whole-hearted champion of their cause.

And in the same year which saw the passing of the Catholic Relief Acts in Ireland and in England there came into existence—as a result of the defensive alliance signed between France and America against England early in 1778—a new Irish movement which was to hasten immensely the emancipation of the Catholics. Rumours and fears of a French landing at almost any point along the Irish coast were quickly spread throughout the whole country ; and the British Government was utterly unable to provide anything like an adequate garrison for the defence of Ireland. The Protestants soon saw that there was no possible protection unless they were to arm and organise themselves ; and throughout the year a new force of Irish Volunteers sprang spontaneously into existence. The Catholics were still wholly debarred from carrying arms ; but they soon shared in the popular excitement which the new movement aroused. They began to subscribe liberally to the Volunteer funds, and in many places were invited by their Protestant neighbours to enrol and arm. The movement spread rapidly in every district, and in 1780 arrangements were definitely made for manœuvres at which large bodies of the Volunteers could assemble from different places.

The intoxicating sense of having created their own armed force to defend their rights was rapidly affecting the attitude of the Irish Parliament in its relations with the English Government. The demand for legislative independence for the Irish Parliament had already been growing for several years, and the resistance of the English Government to various Irish proposals had won new converts to the cause which Henry Grattan had made specially his own. In 1780

the agitation for legislative independence had gathered so much momentum that Grattan formally introduced into the Irish Parliament a resolution to demand it. He was defeated by the efforts of the Government, who were already extremely apprehensive. But although no division took place on his resolution, the debate showed how far he had already succeeded in gaining support. Every subsequent occasion upon which the claims of the English Government and the Irish Parliament were in conflict added to the number of his sympathisers ; and—what was of most consequence—the demand for legislative independence began to gather strength particularly among the Volunteers. Grattan's speech in introducing his resolutions in April had made an extraordinary impression upon all who heard it. His bold claim that, while the Crown of Ireland was inseparably annexed to that of Great Britain, and while ties of interest, loyalty, and freedom connected the two nations indissolubly under one sovereign, yet " no power on earth but the King, Lords and Commons of Ireland was competent to make laws for Ireland," was reinforced by an unanswerable reference to the concessions which had quite recently been made to America. Grattan asked, with a devastating logic, whether the same liberty which had just been offered to the American colonies in their revolt could conceivably be refused to a Parliament which, in the time of danger, had given every possible proof of loyalty and of co-operation to the British Crown.

Months passed, and with the menace of invasion from France growing always more insistent, the defence of the country from attack depended more and more upon the Volunteers. The Irish Parliament passed repeated votes of gratitude to them for their assistance, and the Volunteers became unchallengeable in their organisation, which had from the outset been undertaken in disregard of the existing law. The complicated history of that movement cannot be discussed in these pages, but its results were to have an immediate effect upon the progress of Catholic Emancipation. In many places it led to Catholics being actually

enabled, at the express invitation of their neighbours, to carry arms in defence of the country, but in defiance of the law. In almost every district it was supported by generous subscriptions from Catholics, who saw a new opportunity for demonstrating their loyalty to the Constitution. But the direction of the movement was entirely in the hands of the Protestant ascendancy, and Lord Charlemont in particular, who became its most conspicuous leader in the Volunteer Convention at Dungannon in February 1782, remained always a most determined opponent of any concession to the Catholics. But the undoubted result of the movement was to draw all classes in Ireland together and to overcome sectarian prejudices.

The Convention at Dungannon showed what an extraordinary change had already occurred. It passed a famous series of resolutions which were the immediate prelude to the Declaration of Legislative Independence in Dublin a few months later. The resolutions were drawn up by a strangely mixed group of men : Charlemont, who stood out almost alone against any recognition whatever of the Catholics ; Flood, who was scarcely less vehement in his resistance to the Catholic claims ; Stewart ; Dobbs ; and Henry Grattan, who had already become the principal advocate of Catholic rights. The immediate grievance which had inflamed feeling against the English Government was the persistent effort to restrict Irish trade. The hard-drinking landlords who led the Volunteer movement showed their determination in the matter by publicly pledging themselves to drink no more wine from Portugal until the restrictions upon Irish exports to that country had been removed. But the practical grievances had led to the formulation of first principles. The Dungannon Convention passed first with acclamation a resolution which proclaimed that " a claim of any body of men, other than the King, Lords and Commons of Ireland, to make laws to bind this kingdom is unconstitutional, illegal, and a grievance." The other resolutions need not be enumerated ; but only eleven voices dissented

from the pledge "as freeholders, fellow-citizens, and men of honour," to support at every future election only those candidates who would seek redress of these grievances, and to hasten their redress by every constitutional means. But the most momentous resolution for the Irish Catholics—which Charlemont himself was all but alone in opposing—was that which declared that "we hold the right of private judgment in matters of religion to be equally sacred in others as in ourselves; that as men and as Irishmen, as Christians and as Protestants, we rejoice in the relaxation of the penal laws against our Roman Catholic fellow-subjects, and that we conceive the measure to be fraught with the happiest consequences to the union and the prosperity of the inhabitants of Ireland."

The Dungannon Convention left the success of Grattan's proposals in no further doubt. "The establishment of legislative independence," as Lecky says, "had become inevitable from the simple impossibility of governing Ireland on any other condition. The overwhelming majority of the classes in whose hands the administration of the country practically lay were determined to obtain it, and no Government could have long delayed it." Its concession was hastened by a sudden change of the political scenes in England. Lord North's administration, discredited by the disaster in America, found it impossible to carry on; and the Whigs, who had shown their sympathy with the claims of America for the same reasons which were now being put forward on behalf of the Irish Parliament, were unexpectedly installed in office. In April the Irish House of Commons was urgently summoned. Grattan was still recovering from a severe surgical operation, but nothing could have dissuaded him from attending the assembly of the Irish House. A message from the King appealing for their serious consideration of the prevalent discontents, "in order to effect such a final adjustment as might give mutual satisfaction to his kingdom of Great Britain and Ireland," was solemnly read out. Grattan's speech was eagerly awaited, and in one

of the most famous orations in the English language he described the progress of the country "from injuries to arms, from arms to liberty." In moving an address to the King which was nothing less than a formal declaration of Irish independence under the King's authority, he swept aside the last obstacles to the national claims of the Volunteers. Within a few months the necessary legislation had been hurried through the English Parliament, and the Irish Parliament henceforward assumed in theory—though by no means always in practice—the supreme jurisdiction over the Government of Ireland.

Two consequences of immense and vital importance to the Catholics followed from this separation of the Irish from the English Parliament. Henceforward the dependence of one Parliament upon the other in the matter of Catholic relief was at an end. The Irish Catholics had found, four years before the establishment of legislative independence, that the passage of a Relief Act in England was immediately followed by one in Ireland. They were to learn in 1791 that the virtual abolition of the penal code by the English Act of that year was to have no sequel in Ireland, until their own efforts to obtain direct access to the King in a time of acute crisis and war had circumvented the opposition of an Irish Parliament, which soon discovered that it was now free to maintain the traditions of Protestant ascendancy as it might choose. The English Catholics, on the other hand, were to find that the triumph of the Irish Catholics in 1793 led to no corresponding benefit to themselves.

Secondly, the triumphant Patriot group, who had overawed the Government by winning control of the Volunteers, entered upon the new regime with a wholly new conception of Irish nationalism, which embraced the Catholics as well as the Protestant ascendancy. The question became actual at once when the Irish Parliament had to reconsider the whole previous statute book, and either discard or re-enact whatever legislation was in existence. The penal code presented an immediate problem, and the Catholics made

the most of their opportunity. The support which they had given to the victorious Volunteer movement had earned them gratitude and consideration—though much less than they believed—and it gave them courage to present their claims. But the Irish Parliament was far from ready to abolish the penal system, and the three Bills for Catholic Relief which were introduced by Mr. Gardiner before the end of 1782 met with a growing opposition. The first two Bills were passed after some discussion, but the third was defeated. A number of penal laws which had become obsolete—especially those which proscribed the Catholic clergy, or which empowered Protestants to confiscate the horses of their Catholic neighbours—were repealed; but certain clear restrictions even upon these concessions were maintained. The old Acts against converts to the Church of Rome and against Catholic bishops assuming their ecclesiastical titles were enforced anew. Permission was given to Catholics to become schoolmasters if they obtained a licence, took the required oath of allegiance, and took no Protestant pupils; but no Catholic university or college or endowed school was allowed. In short, the two Bills gave to the Irish Catholics some at least of the concessions which the Act of 1778 had already granted in England, although Catholics were still prevented from acquiring the freehold of land. The third Bill, intended to legalise marriages between Protestants and Catholics, was prevented from passing; and the eloquence and prestige of Henry Grattan were devoted in vain to appealing for a more generous view. "The question is now," he urged, "whether we shall grant Roman Catholics the power of enjoying estates—whether we shall be a Protestant settlement or an Irish nation? Whether we shall throw open the gates of the temple of liberty to all our countrymen, or whether we shall confine them in bondage by penal laws? So long as the penal code remains, we never can be a great nation. The penal code is the shell in which the Protestant power has been hatched, and now it has become a bird, it must burst the shell or perish in it."

It was not long before the Catholics discovered how little was really achieved by these flights of heroic oratory; and how entirely their own liberation depended upon themselves. But the slight measure of freedom and security, with all its limitations, which had been introduced by the Acts of 1778 and 1782 produced an immense effect within the following years. They gave scarcely any positive relief, but rather created a bitter disillusionment, as the incurable selfishness and bigotry of the Irish Parliament became revealed more clearly. But if they produced no relief they enabled the Catholics to organise and provided them with a leader—a plain business man of extraordinary public spirit and courage and generosity, with a passionate devotion to the emancipation of his Church and of the people to whom he belonged. The Dublin silk merchant, John Keogh, was in his own time a no less remarkable and startling phenomenon than Daniel O'Connell in a later generation. It was under the guidance of Keogh, who set an example of fine public spirit by his generous donations to the Catholic cause, that the Committee carried further the policy of employing men of distinction to promote their objects. Edmund Burke had for years been recognised as the foremost exponent of Catholic rights in England, and his disinterestedness was shown by his refusal to accept a grant of three hundred guineas which was offered to him in gratitude by the Catholics. And so, now when the Catholic Committee decided that they required the services of a regular political agent who would have access to the principal politicians, they turned to Burke and offered the appointment to his son. There were special reasons for the appointment, besides the gratitude and the confidence which Edmund Burke's name inspired among them. He had become the foremost propagandist against the French Revolution in England; and in choosing his son to be their accredited agent the Catholics could not have given clearer proof of their repudiation of any sympathy with Jacobinism.

The French Revolution had already created new problems,

which soon eclipsed even the previous anxieties over America, and which had a most paradoxical effect upon the Catholic agitation in Ireland. For generations France had been the chief refuge of the Irish Catholics who found life intolerable in their own country ; she had given them education ; she had been, with Spain and Italy and Austria, the constant source of consolation for those who found their Church despised and persecuted in Ireland ; and, not least, her armies had provided careers for a very large proportion of the Catholic gentry and for the more adventurous emigrants who inherited a love of soldiering for its own sake. But the revolution, as it progressed, destroyed the whole basis of the Catholic connection between France and Ireland. France, which had for so long been the country where Catholics knew that their own Church was held in honour, became an awful scene of virulent persecution of religion. Refugee priests came flocking across the Channel into England, and there found not only shelter, but an unexpected welcome and assistance in a country which had lately been giving evidence of a new spirit of religious toleration. And the allegiance of the Irish Catholics in the French army was no less violently shaken when the revolution transformed the military system, and before long turned the army into an agency for revolutionary propaganda against the monarchies of Europe. The Irish Catholic families which had given their names to so many regiments in France, and which had produced some of the most famous of France's military leaders during the eighteenth century, threw in their own lot with the French royal family and the emigrant aristocracy, and offered their services to the armies which were now called upon to defend Europe against the new revolutionary propaganda. The English Ministers quickly availed themselves of the offers that came from many of the former soldiers of the Irish Brigade ; and proposals were even made for reconstituting some of the Irish regiments for service under the British flag against France. Among the most conspicuous of the Catholic officers who threw themselves into the cam-

paign against revolutionary France was the uncle of the future liberator of the Catholics—General Count O'Connell.

It is necessary to anticipate slightly in describing the young Protestant barrister who, in association with John Keogh, was more than anyone else responsible for the rapid advancement of the Catholic Emancipation in the years that followed the French Revolution. Theobald Wolfe Tone had attracted the attention of Keogh and the other leaders by a very able pamphlet which he had written in support of their claims. His abilities and industry as a political organiser and his immense enthusiasm for the Catholic cause were to produce astonishingly great results within less than two years. And his autobiography, containing the official minutes of the Catholic Committee as well as his own fascinating diaries of the time, is incomparably the most important record of the Catholic movement in its most critical phase. But in his activities as the official agent of the Irish Catholics Tone was extraordinarily out of sympathy with all Catholic tradition. Only their political fortunes interested him, and he was convinced that the emancipation of the Catholics from the penal laws was merely the first phase in a revolutionary upheaval similar to that in France, which inspired him with an unbounded enthusiasm. He says again and again in his private diary that he hopes for the complete emancipation of all Irishmen from religious superstition as soon as they have acquired political liberty. Priests he despised and distrusted, and the bishops he regarded as the most serious obstacle to the democratic revolution for which he was striving. The Catholic Committee had given him a career which enabled him to exert all his ingenuity and energy in overthrowing an unjust code of laws, and which at the same time assisted the larger plan that inspired him, of uniting all classes and creeds in Ireland in a demand for complete separation from England. Once the Catholics had gained their great victory in 1793, his whole activities were directed towards exploiting the Catholic movement for revolutionary purposes. He was himself obliged to escape from Ireland

a few years later, and he went to France to persuade the French military leaders to undertake an invasion of Ireland, which would make a separatist revolution possible. Only bad luck prevented his efforts from actually succeeding. But it was this young Protestant " intellectual," with his genius for political intrigue, his irresistible gaiety and humour, his real chivalry as a military adventurer, who did most to develop among the Irish Catholics an aggressively democratic tendency and a hatred of the English connection which was to divide the Irish from the English Catholics for many years.

In a summary of the situation of the different classes in Ireland when he became Secretary of the Catholic Committee in 1792, Wolfe Tone gives a clear picture of the forces which were taking shape when the Catholics began to assert their rights in earnest. He emphasises at once the importance and the progressive sympathies of the Dissenters, chiefly concentrated in the north, who were " at least twice as numerous " as the ascendancy class. " Strong in their numbers and their courage," he writes, " the Dissenters felt that they were able to defend themselves, and they soon ceased to consider themselves as any other than Irishmen. It was the Dissenters who composed the flower of the famous Volunteer army of 1782, which extorted from the English minister the restoration of what is affected to be called the constitution of Ireland ; it was they who first promoted and continued the demand of a parliamentary reform, in which, however, they were baffled by the superior address and chicanery of the aristocracy, and it was they, finally, who were the first to stand forward, in the most decided and unqualified manner, in support of the principles of the French Revolution."

Almost from the beginning of the Volunteer movement the Dissenters in the north had given proof of their active sympathy with the persecuted Catholics. So early as 1783 —the year after the Irish Parliament had vindicated its independence—the Volunteers in Belfast had formally instructed their delegates to the convention in Dublin to

support the emancipation of the Catholics on equal terms. Belfast was, it is true, in advance of the rest in this demand ; but its attitude alarmed the Government so much that it immediately brought pressure to bear upon the Earl of Kenmare, whose social position had made him the acknowledged leader of the Catholics. Lord Kenmare was easily scared, with the result that, as Wolfe Tone puts it, the Government immediately secured from him " a solemn disavowal, in the name of the body, of any wish to be restored to their long lost rights." But not all the Catholics were so abjectly timorous. " Prostrate as they were at this period," writes Tone, " this last insult was too much ; they instantly assembled their General Committee, and disavowed Lord Kenmare and his disavowal, observing at the same time that they were not framed so differently from all other men as to be in love with their own degradation." But Lord Kenmare's betrayal of his own followers had done its work. The Volunteers accepted his declaration as expressing the wishes of the Catholic body, and declined to take any further interest in the vindication of Catholic rights. Having thus lost the support of the people, the Volunteers themselves were soon suppressed.

From the establishment of the Catholic General Committee in 1773 Lord Kenmare had been its most important leader. It was the relations of the Catholics to the Volunteer movement that led to his being definitely outvoted on the Committee ten years later. Under the existing law no Catholic was legally entitled to carry arms ; but the sudden rise of the movement had created an atmosphere in which legal restrictions were largely ignored ; and in many places, where the Catholics had subscribed handsomely to the funds of the Volunteers, they had been invited to join its ranks, and had done so in large numbers. Their illegal inclusion in a movement over which the Government had practically no control was one of the chief anxieties of Dublin Castle ; and the Government had succeeded in persuading Lord Kenmare to sign a definite appeal to all

Catholics to withdraw at once from this illegal membership of its various corps. But the Catholic Committee had shared the general excitement and jubilation at the growth of a movement which gave hope of dictating to a Government which was not open to persuasion in any other way ; and the cordial reception of Catholics among the Volunteers, especially where the Dissenters predominated, had opened up possibilities of union among the different religious bodies which the Catholics were wholly unwilling to discard at the bidding of Dublin Castle. " The body spurned the idea," Wolfe Tone recalled in 1793, " and to the great astonishment of that noble Lord, as well as of his employers, he was found, for the first time, after making every possible exertion, in a minority. This was the commencement of the feud between his Lordship and the Committee, which, after a variety of bickerings, for now ten years, has at length become irreconcilable."

The Catholic Committee at this time consisted of a certain number of bishops, of country gentlemen, and of merchants, who all resided in Dublin, but were nominated by the Catholics in other towns as their representatives. The ascendancy of John Keogh on the Committee became undisputed after he had defeated Lord Kenmare, and, as Tone describes it, " the parties began to be defined, and a sturdy democracy of new men, with bolder views and stronger talents, soon superseded the timid counsels and slavish measures of the ancient aristocracy. Everything seemed tending to a better order of things among the Catholics, and an occasion soon offered to call the energy of their new leaders into action." The opportunity to which Tone refers consisted in the extremely rapid growth of enthusiasm for the principles of the French Revolution among the Dissenters in the northern capital, Belfast, and their increasing conviction that the Government and the ascendancy could be overthrown by the organisation of a democratic movement which would unite all the oppressed forces of the people. Among the Catholics themselves the progress of

events in France was being watched with mixed feelings of bewilderment. Fiercely hostile to religion as the revolution soon showed itself to be, the Catholics could not fail to be inspired by the amazing demonstration of how quickly an uprising of the people could overthrow the tyranny under which they had suffered. Tone's unqualified enthusiasm for the revolution in France made him regard events from a different angle ; but his description of the state of feeling among the Catholics is amply confirmed by the rapid growth of a new spirit of confidence among them.

The democratic elements in the Committee had already begun to watch the progress of the revolution in France with growing sympathy. Its continued success gradually strengthened their own courage in demanding justice, and the more active members of the General Committee determined to organise an immediate application to Parliament, praying for the repeal of the penal laws. But the Catholic aristocracy and the bishops, who viewed events in France with thorough disapproval, and dreaded the contagious effect of the revolutionary gospel among the Irish Catholics, were at once alarmed. The Government played upon their fears and uttered the usual threats of reprisals if Protestant prejudice should be aroused ; and though the Committee carried the motion for an address to Parliament by a majority of six to one, Lord Kenmare and his friends refused to accept the decision. Sixty-eight of the Catholic gentry, with Lord Kenmare at their head, seceded from the Committee and published in the newspapers a complete repudiation of the attitude which the majority had adopted. The secession, while it strengthened Keogh's personal influence, added greatly to the difficulties of the Committee. Proceeding with their application to Parliament, they toned down their address to such a degree that it virtually asked for nothing ; and even then they failed to find a single member of the Patriot Parliament who dared in 1790 to present even such a humble petition on behalf of the Irish Catholic majority.

But, undaunted, they sought other means of putting forward their claims. With shrewd sense they turned to Edmund Burke, whose early services to the Catholics were well known, and whose influence in England at the time was at its height when he was the foremost protagonist against the French Revolution. By inviting Burke's son Richard to become their political agent they effectively disarmed all criticism on the ground that the Irish Catholics were inspired by the gospel of the French Revolution. Edmund Burke had set his heart upon creating a great public career for his son, and the invitation from the Irish Catholics offered an ideal opportunity to the young man, whom his father had trained with such overwhelming devotion through many years. Throughout the short period during which he was in Dublin as the Catholics' agent, Edmund Burke wrote to him constantly long letters of advice and encouragement which contained all the essence of his own vast experience and learning. But the son was utterly unworthy of his father's devotion. A conceited, tactless young man, he antagonised all the people with whom he had to negotiate, and eventually exasperated the Committee themselves to such an extent that they paid him the enormous fee of two thousand guineas to go home. Both father and son tried hard to secure his reappointment, but Keogh refused to be cajoled. Wolfe Tone was appointed in his stead, and his activity and resourcefulness began to produce results with astonishing rapidity.

It had been found impossible to obtain any Member of the House of Commons to present the very truculent address which Richard Burke had prepared. In 1792 another petition was at last presented, with memorable results. A furious outburst of protest came from almost the whole House of Commons at the idea of such intolerable audacity. Even the Patriot Sir Boyle Roche, denounced the petitioners as " the rabble of the town who came forward in a barefaced, independent manner to dictate to Parliament," and declared that it must be rejected with indignation. And after a

number of such speeches David La Touche took the almost unprecedented step of moving that the petition be removed from the table of the House, which was done amid scenes of general exultation. "I never in my life was so much delighted as at the present moment," declared Mr. Ogle. "I glory in the principles which the gentlemen have spoken. This will be a glorious night for the Protestants of Ireland." And to crown the insult with which the petition was rejected, the Patriot Parliament proceeded to remove also from the table of the House the petition on behalf of the Catholics from the Protestant corporation of Belfast, which had been presented at the same time.

But the almost incredible insolence with which the "Patriot Parliament" dismissed both the petition of the Catholics, and the petition by the Dissenters of Belfast on their behalf, was to produce results which they had never foreseen. It gave a weapon to Pitt, in his growing determination to abolish the independent Irish Parliament altogether, which he was to use with skilful and steadfast diplomacy for their destruction as a Parliament. And among the Catholics it aroused such a fury of resentment that their efforts were redoubled. Under Wolfe Tone's courageous and energetic guidance, in collaboration with Grattan and other Irish statesmen who were outraged by this treatment of a burning question, they proceeded to adopt new methods which were to teach the landlord Parliament a lesson that they could never forget. The obloquy which they had heaped upon the Catholic Committee was to recoil upon their own heads. Their sneers at the Committee for not being properly representative provided the Catholics with a clear pretext for organising a new Committee which was virtually a National Convention of the Irish Catholics, against which such accusations could not be levelled. The Catholic body as a whole had been stung into activity by the insult heaped upon their humble petition, and the work of John Keogh and Wolfe Tone in creating a complete national organisation of the Catholics was made immensely more simple and less difficult.

CHAPTER VI

THE IRISH CATHOLIC CONVENTION, 1792

BEFORE describing the proceedings of this memorable convention of Catholic delegates from all parts of the country, which compelled the Irish Parliament to climb down in abject humiliation from its arrogant defiance of the people, it is well to recall the terms of the petition which, in the early part of the same year, the General Committee of the Catholics had presented with such momentous results to the landlord Parliament. When the Committee had met and discovered the resources of its own strength, as the first National Assembly had done in France only three years previously, the General Committee published a long "Vindication of the Conduct and Principles of the Catholics of Ireland," which recalls the events of the preceding years. The complete change of attitude on the part of the Catholics within so short a time is scarcely less astonishing than the change which took place after the democracy of France had for the first time become conscious of its own possibilities and had found its own leaders.

A few weeks after the Irish Parliament had assembled in January 1792 a Bill, which was carried with surprisingly little opposition, was introduced by Edmund Burke's friend, Sir Hercules Langrishe, to grant Catholics four separate reliefs: to admit them to the Bar, though not to be King's Counsel; to permit intermarrige with Protestants, though this must disfranchise any Protestant who married a Catholic, and although any Catholic priest performing the marriage ceremony was to be made liable to the death penalty; to allow Catholics to teach in schools; and to allow them more than two apprentices in their business. The concessions were far-reaching, but they fell very short of the

expectations of the Catholic leaders, who were by now determined to insist upon admission to the elective franchise, though they could not yet hope for admission to Parliament itself. While this Bill was in progress, and "because it was openly stated that the Catholics were proceeding on a principle of indecent menace and intimidation, and that the House was called on to assert its dignity and to crush such audacious violence in the outset," the Catholic Committee presented a petition to Parliament to allay all such suspicions. The petition, while making the most abject profession of confidence in the "wisdom and justice of Parliament," recalled the loyalty and obedience which the Catholics had shown for a century past, and declared most solemnly that "if they obtain from the justice and benignity of Parliament such relaxation from certain incapacities, and a participation in that franchise which will raise them to the rank of freemen, their gratitude must be proportionate to their benefit, and that, enjoying some share in the happy constitution of Ireland, they will exert themselves with additional zeal in its conservation." In their "Vindication," a year later, the Catholic Committee point out that "of this petition it can scarcely be said with truth that insolence of language" is one of its faults. It was this petition, nevertheless, which the Patriot Parliament had removed with insult from its table; and the Committee were then driven to resort to the press for a formal declaration, issued on St. Patrick's Day, which replied to the calumnies they had incurred.

This Declaration, signed by the Chairman and Secretary of the Committee, was a formal and explicit repudiation of the various seditious tenets which Catholics were still accused of holding. It stated the two principal objects of the proposals which it now put forward as being to secure the elective franchise and also the benefits of trial by jury for the Catholics; and requested that the plan should be submitted without delay to all the "respectable Catholics" of the country. It explained at the same time that discussions

with Lord Fingal and other seceders from the Committee had resulted in complete agreement that they " would never again enter into any act to oppose the General Committee in their endeavours to obtain the emancipation of the Catholics," and that all differences should be forgotten on both sides. A detailed explanation of the proposed method of election was sent out at the same time. The main points in this explanation were that whereas " it might be imprudent " to call a meeting of all the Catholics of a county to elect delegates to the new General Committee, a meeting should be held in each parish at some convenient private house, where one of the local residents should be appointed as a delegate, after promising to attend the meetings in Dublin when requested by the Committee. It was further suggested that, besides these resident delegates, one or two more should be appointed among the residents of Dublin, to keep up a direct correspondence with each constituency. The delegates so chosen were all to understand that the first principal business would be the preparation of an address to the King to request the elective franchise and trial by jury. Full explanations were also given as to the representative character of the new Committee. It was intended to abolish all the previous privileges of membership in the Committee by personal right, and to make attendance a duty upon each member of a body which was to represent every district in the country. The support of the clergy was specially solicited.

The Catholics of Dublin, declares Wolfe Tone (with his eyes fixed always upon the progress of events in France, where the King was already a prisoner, but had not yet been tried and executed), " were at this period to the Catholics of Ireland what Paris, at the commencement of the French Revolution, was to the Departments. Their interest was that of the nation, and whatever political measure they adopted was sure to be obeyed." But the need for a closer co-operation between their General Committee in Dublin and their constituents in the rest of the country had

become so pressing that a properly representative organisation for the whole Catholic body in Ireland was found to be an urgent necessity. It was a Catholic gentleman from County Leitrim, Myles Keon, who devised the constitution of the new organisation, which was in fact very similar to that which had been adopted by the pioneers of the revolution in France. "His plan," writes Wolfe Tone, "was to associate to the Committee, as then constituted, two members from each county and great city, actual residents of the place which they represented, who were, however, only to be summoned upon extraordinary occasions, leaving the common routine of business to the original members, who were all residents of Dublin. The Committee thus constituted would consist of half town and half country members; and the elections for them he proposed to be held by means of primary and electoral assemblies, held, the first in each parish, the second in each county and great town. He likewise proposed that the town members should be held to correspond regularly with their country associates, then with their immediate electors, and then again with their primary assemblies. By this means the General Committee became the centre of a circle embracing the whole nation, spreading its rays simultaneously to the remotest parts of the circumference." The plan was laid before the existing General Committee for its approval, and the first part was adopted almost in its original form, while the proposal for constant communication between the delegates and the mass of the people was for the time being postponed as inadvisable.

These proposals had already been adopted, and the plans were being laid for what was virtually an assembly of delegates from the whole Catholic body, when Wolfe Tone was invited by Keogh and Sweetman to become their agent with the title of assistant secretary, Richard McCormick being the official secretary of the Committee. He assumed his new duties at the most critical moment the Catholics had yet experienced. The plan for this enlargement of the General Committee on fully representative lines had thoroughly

alarmed the Government, and every effort was made to prevent the election of the county members. It was sufficiently evident, comments Tone, " that if the representatives of three millions of oppressed people were once suffered to meet, it would not afterwards be safe, or indeed possible, to refuse their just demands." The Grand Juries fulminated against what they denounced as a new attempt at treason. The Catholic bishops were intimidated and many of the clergy held aloof, distrustful of the ability of Keogh and his friends to control the movement, which had passed entirely into their hands since the secession of Lord Kenmare and the aristocracy. But Keogh's courage and determination were indomitable. The Government and the bishops were not more frightened by the object-lesson of the Revolution which was enjoying a triumphant, if shattering, progress in France, than the new Catholic leaders were inspired by the possibilities of liberation which it suggested, if similar methods were employed in Ireland.

Keogh was as shrewd as he was courageous, and the Committee met the challenge of the Grand Juries by obtaining a legal opinion from two of the most eminent King's Counsel in Dublin, as to whether the plan for enlarging the Committee was contrary to the law. Their verdict emphatically denied the existence of any illegality in the Committee's plans, and thus fortified and encouraged the Committee went boldly forward. Wolfe Tone, with indefatigable energy and ingenuity, had the counsel's opinions published and circulated in the newspapers, in handbills, and in every possible way. Meanwhile, Keogh and Thomas Braughall, who " spared neither purse nor person where the interests of the Catholic body were concerned," undertook personal missions to various bishops, to persuade them out of their opposition to the new movement. They succeeded, says Tone, who accompanied Braughall on one of his journeys to the west, " with much difficulty, so far as to secure the co-operation of some, and the neutrality of the rest of the Prelates." But the Govern-

ment, on its side, strained every nerve to defeat the Catholic agitation, which was quickly growing beyond all control. The Catholics, under Keogh's leadership, and with Wolfe Tone's ceaseless and enthusiastic attention to every detail, allowed no act of opposition to pass unchallenged. "Wherever there was a meeting of the Protestant ascendancy, which was the title assumed by that party" (and a very impudent one it was), he writes, "we took care it should be followed by a meeting of the Catholics, who spoke as loud, and louder, than their adversaries."

The Grand Juries, which had hitherto been almost omnipotent in the counties, were now terrified, and began to issue a series of blood-curdling resolutions. The Leitrim Grand Jury, for instance, denounced the proposals for the new representative Catholic Committee as "an inflammatory and dangerous publication," and announced that "they feel it necessary to come forward at this period to declare that they are ready to support, with their lives and fortunes, our present most valuable Constitution in church and state; and that they will resist, to the utmost of their power, the attempts of any body of men, however numerous, who shall presume to threaten innovation in either." The Grand Jury of Sligo similarly resolved "that they will, at all times, and by every constitutional means in their power, resist and oppose every attempt NOW MAKING, OR HEREAFTER TO BE MADE, by the Roman Catholics, to obtain the elective franchise, or any participation in the Government of the country," and concluded with a tender of their "lives and fortunes." The Grand Jury of Roscommon asserted that the plan "calls upon the whole body of the Roman Catholics of Ireland to associate themselves in the metropolis of this kingdom upon the model of the National Assembly of France, which has already plunged that devoted country into a state of anarchy and tumult unexampled in any civilized nation"; they called it "an attempt to overawe Parliament," and declared their "serious and sensible alarms for the existence of our present happy establishment in church and state,"

and their determination " at the hazard of everything dear to them, to uphold and maintain the Protestant interest of Ireland."

There were other still more glaring instances of bigotry and self-interest among the Grand Jury resolutions. Thus, the Grand Jury of the County of Louth, with the Speaker of the House of Commons at their head, declared as follows : " That the allowing to Roman Catholics the right of voting for Members to serve in Parliament, or admitting them to any participation in the Government of the kingdom, is incompatible with the safety of the Protestant establishment, the continuance of the succession to the Crown in the illustrious House of Hanover, and must finally tend to shake, if not destroy, our connection with Great Britain, on the continuance and inseparability of which depends the happiness and prosperity of this kingdom ; that they will oppose every attempt towards such a dangerous innovation, and that they will support with their lives and fortunes the present Constitution, and the settlement of the Throne on His Majesty's Protestant House." The freeholders of the County of Limerick went even further in charging the Committee with an " intention to overawe the Legislature, to force a repeal of the penal laws, and to erect a Popish Democracy for their Government and direction, in pursuit of whatever objects may be held out to them by turbulent and seditious men." They then instruct their representatives in Parliament, " AT ALL EVENTS, to oppose any proposition which may be made for extending to Catholics the right of elective franchise," thereby confirming (to quote the " Vindication ") " as far as in them lies, the principle of perpetual and hopeless exclusion ; and this meeting, publishing those resolutions, is dignified by the presence of no less a personage than THE LORD HIGH CHANCELLOR OF IRELAND."

The Corporation of Dublin, in a long manifesto, even quite definitely denied the competency of Parliament to extend the right of franchise to the Catholics, which they

chose to call " alienating their most valuable inheritance." They expressed plainly their determination to resist by force such a measure if attempted, and made the amazing assertion that " the last session of Parliament left the Roman Catholics in no wise different from their Protestant fellow-subjects, save only in the exercise of political power." This last resolution by the Corporation of Dublin—which even in O'Connell's time was to remain irreconcilable in its bigoted intransigeance and was to be the cause of his fatal duel with D'Esterre—was made the occasion for a meeting of protest by the Catholics of Dublin. They drew up a counter-manifesto, which was " published in all the papers," together with the speeches denouncing it which were made by John Keogh, Dr. Ryan, Dr. McNeven and others. Their speeches and their manifesto, Tone records with pride, " had such an infinite superiority over those of the Corporation, which were also published and diligently circulated by the Government, that it put an end, effectually, to this warfare of resolutions."

And the bigotry of the Grand Juries had an immediate result among the restless Dissenters of Belfast, where they caused such intense resentment that twelve citizens of that city subscribed each £250 for the founding of a newspaper, " whose object should be to give a fair statement of all that passed in France, whither everyone turned their eyes ; to inculcate the necessity of union among Irishmen of all religious persuasions ; to support the emancipation of the Catholics ; and finally, as the necessary, though not avowed consequence of all this, to erect Ireland into a republic, independent of England." The new paper was called the *Northern Star*, and Wolfe Tone's friend and political ally, as a staunch united Irishman, Samuel Neilson, was appointed its editor. " The Catholics everywhere through Ireland (I mean the lay Catholics)," says Tone, " were, of course, subscribers, and the *Northern Star* was one great means of effectually accomplishing the union of the two great sects, by the simple process of making their mutual interests better

known to each other." The Dissenters of Belfast showed their enthusiasm for the cause in a still more disquieting way by arranging to commemorate the anniversary of the storming of the Bastille with great ceremony, by a spectacular display of the Volunteers. They seized the opportunity of issuing a strong appeal on behalf of the Catholics, and carried with acclamation two addresses—one to the people of France, and one to the people of Ireland. " Suffice it to say," Tone concludes, " that the hospitality shown by the people of Belfast to the Catholics, on this occasion, and the personal acquaintance which the parties formed, riveted the bonds of their recent union, and produced in the sequel the most beneficial and powerful effects."

In this atmosphere of excitement the election of the new Catholic Committee, or Convention, was held in the late autumn of 1792, and the Convention assembled in Dublin in the first days of December. Before the election of the delegates took place the divisions in the Catholic ranks had been to a great extent healed, and a circular-letter had been issued to every district on behalf of the General Committee before the elections, making the position clear. The success of the Convention was immediate, and on meeting thus for the first time as a national assembly of the Irish Catholics, Wolfe Tone in his official minutes of the proceedings records how " they felt and acted with the decision of men who deserved to be free, and with the dignity becoming the representatives of three million people. The spirit of liberty ran like the electric fire through every link of their chains, and before they were an hour convened the question of their emancipation was, in fact, decided." Their first act was to elect as their chairman Mr. Edward Byrne, who " in their cause had exposed himself to every calumny and abuse : his name had been held up as a target against which the arrows of prejudice, falsehood and corruption had been increasingly discharged." Next, in order to dispose of the efforts which had been made to secure the attendance of certain persons who under the previous constitution of the Committee were entitled

to take part in the proceedings, the Assembly decided that "the meeting, as then constituted, with the Peers and Prelates, were the only organ competent to speak the sense of the Catholic body." All personal privileges in the matter of representation of the Catholic body were thus immediately abolished, and the new General Committee, based upon a complete system of elective representation, became the only recognised exponent of the Catholic claims. Henceforward the Government could no longer appeal to the views of Lord Kenmare or other dissentients as being in any way authoritative.

The subsequent decisions and discussions are fully described in the official report prepared by Wolfe Tone. The discussions revealed from the outset the rapid growth of a defiant spirit which recalls the debates of the first National Assembly in France. A resolution was proposed at once in favour of a petition of grievances to the King, which was read and adopted, paragraph by paragraph, until the end, when Luke Teeling, from County Antrim, in the true spirit of Mirabeau, rose to protest against any limitation of their demands. His instructions from his constituents, he declared, were to demand nothing short of total emancipation, and he boldly moved as an amendment that the Catholics "should be restored to the equal enjoyment of the blessings of the constitution." Teeling's speech, according to Wolfe Tone's official report of the proceedings, "was received with the most extravagant applause." Another speaker supported Teeling in language no less defiant; and the amendment would have been carried by acclamation if the astuteness of John Keogh had not adroitly intervened. He pointed out that such far-reaching resolutions must not be taken in haste, and he challenged the Assembly by asking whether they had considered "the magnitude of their demand and the power of their enemies," whether they had considered "the disgrace and the consequences of a refusal, and were they prepared to support their claims?" Keogh's intervention showed him to be an admirable leader of men. With

one voice the whole Assembly rose to their feet and answered, "*We are!*" raising their right hands in solemn affirmation. "It was a sublime spectacle," writes Tone, whose wildest hopes from the Assembly had thus been fulfilled; and Keogh, with consummate stage management, persuaded the Committee to adjourn till the next morning, so that no one could accuse them of having acted with any lack of temperance or consideration.

On the following morning the Assembly resumed its sessions in a fever of excitement. Luke Teeling once more took the lead in the rôle of Mirabeau. "We have been asked," he said, "what we will do in case of a refusal? I will not, when I look round me, suppose a refusal. But if such an event should take place, our duty is obvious. We are to tell our constituents; and they, not we, are to determine. We will take the sense of a whole people and see what *they* will have done." Other speakers supported this attitude with wild enthusiasm, and a resolution in favour of petitioning for complete restitution of the rights of the Catholics was carried by unanimous acclamation.

A further act of defiance was then decided upon. Hitherto all former addresses of loyalty or of petition—in the few years during which the Catholics had gained courage to present anything of the kind—had been presented to the Lord-Lieutenant. But the Catholics were in no mood to await further insults from the Irish Government. One of the delegates from County Galway, Christopher Dillon Bellew, who was one of the few remaining Catholics who owned large estates, proposed formally that the petition be addressed direct to the King in person. Dublin Castle, however, had by this time become thoroughly alarmed, and a promise had been given that the petition would be sent by immediate dispatch to the King if it were handed first to the Lord-Lieutenant. Those in touch with Lord Kenmare, who had been approached in these conversations, now succeeded in prevailing upon the Assembly to wait for an urgent consultation with the Castle before deciding. With

difficulty an adjournment for half an hour was agreed to, while the Catholic Committee—who a few months before had seen their humble petition to Parliament flung from the table of the House—now sat counting the minutes until their ultimatum to the Viceroy expired. The reply was quickly returned, and the Castle explained that nothing authoritative could be said. The Assembly regarded this as a further instance of duplicity by the Irish Government ; and Keogh, once more playing skilfully upon the emotions of an excited meeting, demanded whether their petition could be safely entrusted to the Government. Once again the Assembly vociferated " No " ; and Luke Teeling once more aroused its enthusiastic defiance by asserting that his attitude was intended as a deliberate challenge to the administration. The efforts of a few timid members to postpone a decision were wholly unavailing, and the spirit of the Assembly was expressed by a young member from Louth, who declared, " We will stay all night if necessary, but this question must be decided before we part. If it go abroad that you waver, you are undone."

The petition to the King was carried with tumultuous applause. The next step was to elect by ballot the five members of the Committee who were to wait upon the King. They then dispersed until they should be summoned again by the sub-committee, while the unbounded enthusiasm of the Assembly was expressed by O'Gorman from Mayo, who exclaimed, " We will attend if we are summoned to meet across the Atlantic." Not the least significant aspect of the petition was the fact that two of the most important Catholic bishops, Archbishop Troy, of Dublin, and Dr. Moylan, of Cork, who had attended the Assembly as delegates throughout and had been received with special enthusiasm by the other delegates, added their signatures to the petition.

CHAPTER VII

THE IRISH CATHOLIC RELIEF ACT, 1793

The delegates carried with them definite instructions which show the uncompromising spirit of those who sent them. "In whatever conference you may hold with His Majesty's Ministers," they were told in writing, "you are fully to apprise them that it is the expectation, as well as the wish, of the Catholics of Ireland that the penal and restrictive laws, still affecting them, be totally removed; and that nothing short of such *total* removal will satisfy the doubts and anxieties which at present agitate the public mind in this country, or carry into effect His Majesty's gracious wish for the union of all his subjects in sentiment, interest, and affection."

Having instructed their delegates to go to London and appeal directly to the King, over the heads of the Irish Parliament, the Convention dispersed, and the deputation lost no time in undertaking their momentous mission. No packet boat was ready to take them, and the wind was unfavourable for the longer sea journey to England from Dublin; so the deputation decided to risk no further delay and to travel by Scotland across the narrow straits between County Antrim and the North of England. The accident of bad weather led to a further demonstration of the strength of the popular feeling which supported them. In passing through Belfast on their journey they were given a memorable reception. On their arrival in that town, says Tone, "they were met by a number of the most active and intelligent inhabitants, who had distinguished themselves in the abolition of prejudice, and the conciliation of the public mind in Ulster to the claims of the Catholics. On their departure their horses were taken off, and they were drawn

along with loud acclamations by the people, among whom were numbers of an appearance and rank very different from what are usually seen on such occasions. To the honour of the populace of Belfast, it should be mentioned that they refused a liberal donation which was offered by the Catholic delegates ; and, having escorted them beyond the precincts of the town, and cordially wished them success in their embassy, they dismissed them with three cheers."

In London, their first business was to have an interview with Dundas as Home Secretary, who desired to present the petition himself and communicate the result to them afterwards. But the deputation was determined to have a personal interview with the King himself. Grattan and Lord Donoughmore had both hurried to London to be available with their advice and assistance to a group of men who were wholly unused to undertaking such a mission ; and, with the aid of Lord Moira, the problem was solved by securing the consent of Dundas to attend the levee and present them to His Majesty. On 2nd January 1793, the five delegates appointed for the purpose—Mr. Keogh, Mr. Byrne, Mr. Devereux, Mr. Bellew, and Sir Thomas French —accordingly attended the levee at St. James' Palace, and, being introduced by Dundas as Home Secretary, presented their petition to the King.

The petition was not read to His Majesty by the delegates, but delivered into his hands. " Their appearance," writes Tone—who accompanied the delegation to London—" was splendid, and they met with what is called in the language of Courts, a most gracious reception ; that is, His Majesty was pleased to say a few words to each of the delegates in his turn. In these colloquies the matter is generally of little interest, the manner is all ; and with the manner of the Sovereign the delegates had every reason to be content."

The success of the deputation was beyond all doubt. The mere fact of their having achieved their purpose of presenting the petition to the King in person was an unprecedented advance. Its results were to be swiftly revealed. In

November, Pitt had already written to the Viceroy, Lord Westmorland, to express his real anxiety as to the consequences of any opposition to the holding of the Catholic Convention. " The more I think of the subject," he had written, " the more I regret that firmness against violence is not accompanied by symptoms of a disposition to conciliate. . . . If the Protestants of Ireland rely on the weight of this country being employed to enforce the principle that in no case anything more is to be conceded to peaceable and constitutional applications from Catholics, that reliance, I think, will fail, and I fairly own that in the present state of the world I think such a system cannot ultimately succeed." This was written in strictest confidence by Pitt, as Prime Minister, to the Viceroy ; but his letter concluded with a pregnant sentence : " I am sorry to say the news from the Continent is far from improving," which must even then have suggested that events might so develop at any moment that Pitt's personal disapproval of the diehard Protestantism of the landlord Parliament would be translated into action. And in the same month, Richard Burke, who had access to many of the most influential members of the Irish Parliament, and of the Government also, had written in a memorandum before he had discontinued relations with the Catholics: " I have seen some of the great Parliament men. One of the first of them (and commonly supposed to be the most hostile to the Catholics) said, ' Let Mr. Pitt send an order that it *shall* be done, and it will be done.' He gave me to understand he was very willing to do his part."

In December, when the Catholic Convention was already in full swing in Dublin, the Home Secretary Dundas had written to the Viceroy in still more definite terms as events developed. " Under the present circumstances of this country and of Europe," he wrote, " it is particularly desirable, if it be possible, to avoid any occasion which might lead those who are in general attached to order and regular government to join themselves with persons of opposite principles. It seems, therefore, to be of the utmost

consequence not to lose the assistance of the Catholics in support of the established Constitution." He impresses most emphatically upon Westmorland the necessity to " hold a language of conciliation " towards the Catholics, and declares most positively his own belief, in the interests of the Irish Protestants as well as those of the Empire, that the Catholics, if their loyalty can be assured, should be granted " participation, on the same terms with Protestants, in the elective franchise and the formation of juries." It was in vain that the Chief Secretary Hobart wrote to complain that " the levelling system, under the mask of reform, is spreading furiously " ; that " the source of all the mischief is the town of Belfast. The merchants of that town are the persons principally at the bottom of it " ; and that the Catholic leader Keogh was in league with the most dangerous agitators ; that he " is a reformer and a leveller, and be assured no Catholic concession will answer his purpose." Pitt was too deeply occupied with the imminent probability of a war with France to have any time for considering the prejudices of the Irish " ascendancy." A crisis was fast approaching in Europe which made drastic measures an absolute necessity.

Many years afterwards, one of the chief supporters of the Catholics at the time was to communicate his own recollections of how suddenly it all had happened, to that assiduous chronicler and minute observer, Thomas Creevey. And in a letter to his wife—" Dear Bessie "—written from Kingstown in November 1828, when O'Connell's election for Clare had brought Wellington face to face with the necessity for an abject surrender—Creevey was to record the story as Lord Donoughmore had told it to him :

" I must enlighten you," he wrote, " upon the immediate causes of the present crisis of this country. Remember it is no vague theory of mine. Lord Donoughmore is my historian. He was a principal actor in what I am about to relate, and he is the only surviving one. He was observing to me that the English Government always took the wrong course respecting Ireland, as they did when the forty-shilling

franchise was granted. Tell me, said I, about that—and then he spoke as follows :

" ' In the year 1792 the Catholics of Ireland presented a petition to the Irish House of Commons, praying for a qualified franchise. Five or six days after it was presented, David La Touche moved that such a petition should be taken off the table and out of the House upon the avowed ground of the audacity of its prayer. The House divided for La Touche's motion, 208 ; against it, 23. Forbes and I were tellers. Forbes was as honest a fellow as ever lived, and Grattan was always a stout fellow to act with. So we three consulted together ; and we summoned some of the leading Catholics to Dublin to meet us—Keogh, a silk mercer, and a very rich man, was our principal. He was a damned clever fellow, and the only Catholic of courage I ever saw. We told them that as Catholics they had received an insult from the House of Commons, that they ought never to submit to that. . . .

" ' They selected Lord French, Byrne, Bellew, and Devereux as their delegates to go to London and present their petition to the King. Grattan and I met them there to keep them up to their mark, and to see that they did not betray their cause. We found that Pitt and Dundas, after two or three interviews with these delegates, said they should advise the prayer of their petition being granted, and that the qualification should be forty-shilling.

" ' Upon this, Grattan and I asked to see Dundas, and we had different interviews with him, in which we stated that the Catholics of Ireland, in asking for a qualified franchise, had never thought of less than £20 a year, and that they would be content even with £50. We urged again and again the impolicy of so low a franchise. But all we could get from Dundas was that it must be the same as in England. And so, in 1793, the very Parliament that would not permit the Catholic petition, praying for a qualified franchise, to be on their table, now was made to give them the forty-shilling franchise.' "

To Wolfe Tone these ministerial secrets were unknown. But he realised to the full what a profound effect upon the attitude of the English Government was being made by the progress of events in Europe, and he summarises the situation vividly: "The solid strength of the people was their union," he writes. "In December, the Catholics had thundered out their demands, the imperious, because unanimous, requisition of 3,000,000 of men; they were supported by all the spirit and intelligence of the Dissenters. Dumourier was in Brabant, Holland was prostrate before him; even London, to the impetuous ardour of the French, did not appear at an immeasurable distance; the stocks were trembling; war seemed inevitable; the minister was embarrassed; and, under those circumstances, it was idle to think that he would risque the domestic peace of Ireland to maintain a system of monopoly, utterly useless to his views. The Catholics well knew this; they well knew their own strength and the weakness of their enemies; and therefore it was that the sub-committee derided the empty bluster of the Grand Juries, and did not fear, in the moment that they stigmatised the administration, to approach their Sovereign with a demand of unlimited emancipation."

On the return of the delegation, however, he records a lamentable change of attitude among the Catholic leaders themselves. Concessions there undoubtedly were on the Catholic side; and their ardour cooled with disconcerting rapidity under the soothing influence of the King's favourable reception of their deputation. But their victory over the ascendancy was immense. The King's Speech at the opening of the new session in January 1793 revealed their triumph. Beginning with militant declarations against the spread of disorder, and continuing with a reasoned emphasis upon the state of foreign affairs, the Viceroy's speech introduced a clause which was memorable not least because it referred to "Catholics"—instead of Papists—for the first time. "I have it in particular command from His Majesty," said the Viceroy, "to recommend it to you to apply your-

selves to the consideration of such measures as may be most likely to strengthen and cement a general union of sentiment among all classes and descriptions of His Majesty's subjects in support of the established Constitution ; with this view His Majesty trusts that the situation of His Majesty's Catholic subjects will engage your serious attention, and in the consideration of this subject he relies on the wisdom and liberality of his Parliament."

The result was the great Catholic Relief Act, which was passed by the Irish Parliament early in 1793, and received the Royal assent in April. It gave such wide concessions to the Irish Catholics that nearly thirty years later the English Catholic aristocracy, in a period of abject despondency, even procured the introduction of a Bill (which never passed) that asked no more than that English Catholics should be given the same liberties and civic rights as the Catholics in Ireland. Even Wolfe Tone, dejected and disappointed by the spirit of concession which had induced the Catholic leaders to give way on the question of allowing Catholics to enter Parliament, could not withhold his feelings of jubilation at what had been won. " By one comprehensive clause," he writes, " all penalties, forfeitures, disabilities, and incapacities are removed ; the property of the Catholic is completely discharged from the restraints and limitations of the penal laws, and their liberty, in a great measure, restored by the restoration of the right of elective franchise. The right of self-defence is established by the restoration of the privilege to carry arms, subject to a restraint, which does not seem unreasonable, as excluding none but the very lowest orders. The unjust and unreasonable distinctions affecting Catholics, as to service on grand and petty juries, are done away ; the army, navy, and all offices and places of trust are opened to them, subject to exceptions hereafter mentioned. Catholics may be masters or fellows of any college hereafter to be founded, subject to two conditions, that such college be a member of the University, and that it be not founded exclusively for the education of Catholics.

THEOBALD WOLFE TONE.

Drawn on Stone by C Hullmandel, from a Portrait by Catherine Sampson Tone

They may be members of any lay body corporate, except Trinity College, any law, statute, or by-law, of such corporation to the contrary, notwithstanding. They may obtain degrees in the University of Dublin.

"These, and some lesser immunities and privileges, constitute the grant of the Bill, the value of which will be best ascertained by referring to the petition. From comparison, it will appear that every complaint *recited* has been attended to; every grievance *specified* has been removed. Yet, the prayer of the petition was for *general* relief. The Bill is not co-extensive with the prayer. The measure of redress must, however, be estimated by the extent of the previous suffering and degradation of the Catholics."

Having secured the substance of all that they had demanded, and many of them being half-frightened by the unexpected concession of votes to the forty-shilling freeholders, the Catholic Committee decided that its object had been fulfilled, and that further agitation would be an act of disrespect and of ingratitude. The General Committee was called together again, and decided to dissolve itself at once as a mark of its full satisfaction with what had been accomplished. The question of admitting Catholics to Parliament no longer seemed an urgent or important grievance, and the Committee passed a resolution urging the Catholics "to co-operate in all loyal and constitutional means" to secure parliamentary reform.

CHAPTER VIII

A VIOLENT SET-BACK

With the passing of the Act of 1793 the battle of the Irish Catholics was virtually won. Had it not been for the subsequent passing of the Act of Union, no power on earth could have kept them for much longer from the right to sit in Parliament. But the history of the next seven years was to present a completely paradoxical situation—in which the Catholics, who had everything to gain by preserving a separate Irish Parliament, were gradually induced by false promises of Catholic emancipation to support Pitt's policy of suppressing the Irish Parliament; while the ascendancy in Dublin, whose sole chance of resisting the determined pressure of Pitt lay in conciliating the Catholic population, continued in their blind bigotry to resist every demand for further concessions. They lost no time in endeavouring to minimise the effect of the Relief Act by using all their existing privileges to keep the Catholics out of the positions which they had become entitled to hold. Wolfe Tone notes these efforts at once. "The same influence," he writes, "of which Catholics complain, has been, ever since the passing of the Bill, exerted to prevent their reaping any benefit even from the privileges of which, by law, they are now capable."

His fears of a revival of persecution were soon shown to be well founded; and the rapid and alarming development of foreign affairs had the double effect of creating a new excuse for repressive measures against every form of popular agitation, and intensifying the spirit of revolt. In the North, enthusiasm for republicanism spread like wildfire among the Dissenters, and the United Irishmen became more and more active in trying to foster a union with the Catholics in order to overthrow the existing regime. The Protestant ascendancy,

on the other hand, became more and more violently opposed to all concession ; and even the reformers who supported Grattan began to take fright at the new " levelling " doctrines which had inspired those whom they had hitherto sought to pacify by gradual concessions.

Two immediate results of the Catholic Relief Act had a profound influence upon the years which came after it. The disbanding of the General Committee was only symbolic of the inevitable reaction which followed upon so great a success ; and for some time the Catholics ceased from all active agitation on their own behalf. On the other hand, the passing of the Act diminished still further the greatly weakened influence of the Catholic aristocracy. Their secession from the movement had left its direction entirely in the hands of John Keogh and his democratic friends ; and their triumphant success in carrying the Act had given them a new and unexpected prestige. At the same time, the remaining restrictions left by the Act had placed the Catholic gentry in a most humiliating position. They were still excluded from Parliament or from being sheriffs or sub-sheriffs, so that their political rights were now no greater than those of any Catholic forty-shilling freeholder in the country. They have never since recovered the leadership which they had exercised in the first efforts to shake off the burden of the penal code ; and the Act of 1793 definitely confirmed the democratic character of the Catholic agitation in Ireland, and made it all the more different on that account to the agitation in England, which was exclusively directed by the Catholic aristocracy.

Agitation ceased throughout the year 1794, and the only serious troubles of the Government with the Catholics consisted in the growth of an agrarian agitation called the Defenders. But the activity of the United Irishmen, in direct contact with the revolutionary leaders in France, was producing a rapid growth of republican and separatist feeling. Wolfe Tone himself, who had attended comparatively little to the affairs of the United Irishmen while

he was absorbed in his work for the Catholics prior to the Act of 1793, now turned his whole energies to furthering his own dream of direct co-operation with republican France. John Keogh, according to one of the spies of Dublin Castle, became a constant attendant at the meetings of the United Irishmen in Dublin, and many other Catholics joined in the movement. The clergy, on the other hand, and especially the bishops, were vehemently opposed to these negotiations with the atheist republicans of France. Tone himself, in his diaries, reveals that his natural antipathy towards priests was rapidly intensifying. Henceforward he was to use his position and influence among the Catholics almost exclusively to further his own political ambitions.

Pitt, who was already well aware of the seriousness of the war with France, and who desired to ensure the loyalty of the Irish Catholics at all costs, was determined to pursue a policy of conciliation. Edmund Burke, who had opposed him so often in the past, now regarded him as the only man capable of resisting the tide of revolution that was sweeping Europe. He realised the natural tendency of Catholicism to be conservative, and attached immense importance to the pacification of Ireland as a stronghold against the Bolshevism of the time. " Ireland is no longer an obscure dependency of this kingdom," he wrote. " What is done there vitally affects the whole system of Europe. It will be a strong digue to keep out Jacobinism, or a broken bank to let it in." And he makes a passionate appeal against the " meditated and systematic corruption of some, and the headlong violence and tyrannical spirit of others, totally destitute of wisdom," by which Ireland was being " brought to a very perilous situation."

The secession from the Whigs in England under pressure of the war enabled Pitt to reconstruct his Ministry on a basis of coalition. Pitt, who was definitely committed to the admission of Catholics to Parliament, seized the opportunity to replace Lord Westmorland with a Whig Viceroy. Lord Fitzwilliam, who had accepted office as Lord President of

the Council in the new Cabinet, was an intimate friend of Grattan and a conspicuous supporter of the Catholics. He was offered, and he accepted, the Viceroyalty a month later, and negotiations developed quickly, before his appointment had yet been formally made, with a view to introducing a new regime under his personal direction. News of his impending appointment became quickly known in Ireland, and the Catholic agitation immediately revived. By the time he arrived in Dublin, on 4th January 1795, to assume office, the Catholics had become convinced that Catholic emancipation would be one of the first measures of the new Government, and their Committee had renewed its former activity. Before leaving England, Fitzwilliam had impressed his own views most strongly upon the Cabinet, and had been completely satisfied that Pitt shared his own belief that the admission of Catholics to Parliament would be immensely helpful in consolidating the political position while the war lasted. The Duke of Portland and other leading members of the Constitution fully shared his views. But in deference to strong opposition from other quarters Fitzwilliam agreed to do nothing to encourage the agitation of the Catholic question until the conclusion of peace.

The news of his appointment, however, had revived the agitation in Ireland at full blast before he had set foot in the country. " I was no sooner in Ireland," he wrote afterwards, " and informed of the real state of things here, than I found that this question would force itself upon my *immediate* consideration." Within four days he was writing to the Duke of Portland : " I tremble about the Roman Catholics. I mean, about keeping them quiet for the session, because I find the question already in agitation, and a committee appointed to bring forward a petition for the repeal of the penal and restrictive laws. I will immediately use what efforts I can to stop the progress of it, and bring them back to a confidence in the good intentions of the Government, and, relying on that, to defer for the present agitating that question." But the situation was already quite beyond his

control ; and the Catholic agitation under Keogh and the other democratic leaders had no further use for the timid aristocrats upon whom Fitzwilliam counted to exert a restraining influence.

Fitzwilliam's arrival had been hailed as a clear message of appeasement. His first efforts to discourage the hopes which his own appointment had raised only produced a feeling of bitter resentment and disappointment. Lawlessness began to spread through many counties, and it became apparent to Fitzwilliam within the first few weeks that concession of full civic liberties was the only means by which the Government could obtain support among the people. The Defenders had begun to commit many outrages against unpopular magistrates and landlords ; and while the Government remained hostile to the popular demand for equal justice, it was hopeless to look for sympathy from the Catholic people in the effort to put down anarchy. The facts were only too obvious ; and within a fortnight Fitzwilliam wrote plainly to the Duke of Portland that he was powerless to restore order unless the Catholic claims received immediate attention. " I shall not do my duty," he wrote, " if I do not distinctly state it as my opinion, that not to grant *cheerfully* on the part of Government all the Catholics wish will not only be exceedingly impolitic, but perhaps dangerous. The disaffection among the lower orders is universally admitted (though the violences now committed from time to time are not the violences arising from disaffection or political causes, but merely the outrages of banditti, fostered, however, under that pretended cause)." " If I receive no very peremptory directions to the contrary," he went on, " I shall acquiesce with a good grace, in order to avoid the manifest ill-effect of doubt, or the appearance of hesitation may be mischievous to a degree beyond all calculation. Two evils it would inevitably produce, the loss to Government of the confidence and affection of the Catholics, and the giving rise to a Protestant cabal, which will be a certain consequence."

Under a Prime Minister who was strongly favourable to the Catholic claims, the appointment of a Viceroy who held such views could not fail to arouse hopes of immediate relief in Ireland. These hopes were still further strengthened when Fitzwilliam, in the belief that he had full power to do as he thought fit, proceeded to dismiss from office the man who for years had dominated the Protestant administration, and who had provided all his friends with innumerable sinecures and had placed his own family (to quote Lord Fitzwilliam) in enjoyment " of more emoluments than ever were accumulated in any country upon any one family." Fitzwilliam was warned of the danger of displacing John Beresford, and he thought it prudent to leave him and every member of his family in full enjoyment of their salaries, although he himself was deprived of his position as Commissioner of Revenue. But Fitzwilliam had no conception of the strength and coherence of the ascendancy ; and his dismissal of Beresford recoiled almost immediately upon himself. In Dublin Castle he was henceforward surrounded by sullen subordinates who sat in silence through every meal, while the Beresfords set to work to undermine his influence in London.

So far as the country was concerned, his administration had been an immediate and unprecedented success. Realising the extreme gravity of the military reverses which were taking place in Europe, the Irish Parliament had without stipulations of any kind voted an immediate grant in aid of the English fleet. The economic condition of the country had begun to prosper remarkably. The Catholics, liberated in everything that mattered by the Act of two years before, were disposed to be enthusiastically loyal ; and only awaited the announcement of a final concession by the Government, which was more a symbolic recognition of their equal rights than a practical issue. Even Lord Kenmare, as well as Lord Fingal and the other Catholic aristocrats who had seceded from John Keogh's Catholic agitation, now returned to the Catholic Committee in the belief that Government favoured

their claims. A timely concession of the right to sit in Parliament would have reinstated them in their former leadership of the Catholic movement.

In these circumstances, when Parliament had already met and voted its grant for the expenses of the fleet, Fitzwilliam—who had received no reply whatever to his urgent warnings of the necessity for an immediate measure of Catholic emancipation—gave leave for the introduction of a Catholic Relief Bill. Its introduction was already announced, when a bombshell fell upon all Fitzwilliam's hopes and plans. Having ignored all his own urgent appeals and warnings, the Cabinet sent to him definite instructions that he was to give no countenance to any measure of the kind. He was requested to prepare immediately the strongest case that could be made against concession to the Catholics. From Pitt he received a letter which, ignoring the Catholic question altogether, was a severe reprimand for his dismissal of John Beresford. Fitzwilliam protested, pleaded, and renewed his earlier warnings. The correspondence assumed a totally different note; and within a week his intimate friendship with the Duke of Portland had been completely shattered. Matters had gone far beyond the stage of misunderstanding. And on 23rd February, less than two months after his arrival in Ireland, he was summarily recalled.

The news fell upon Ireland like a thunderclap. Fitzwilliam himself, in a letter to Lord Carlisle, declared that they must now face "almost the certainty of driving this kingdom into rebellion." Dr. Hussey, the future Bishop of Waterford, who was on intimate terms with Government and was in close correspondence with Edmund Burke, declared that "Ireland is now on the brink of civil war." And even Lord Charlemont, who at the Convention of the Volunteers had been almost alone in opposing the Catholic claims, described the decision to recall Fitzwilliam as "utterly ruinous," and foretold that by the end of the year the mass of the people would be directed by the United Irishmen. His prediction was fully confirmed by the leaders of the

United Irishmen themselves, who in 1798 explained, in a historical memoir on their own movement, that " whatever progress this united system had made among the Presbyterians of the North, it had, as we apprehend, made but little way among the Catholics throughout the Kingdom, until after the recall of Earl Fitzwilliam."

Once again, in fact, Pitt had intervened with decisive and arbitrary authority to overrule the policy of the Irish Parliament. Three years before, when they had resisted the Catholic claims with contumely, he had forced them to concede more even than the Catholics themselves had demanded. Now, in 1795, when the consequences of the great Relief Act of two years previously had transformed the whole situation, and the Protestant Parliament was prepared without hesitation to admit Catholics to Parliament, he was to intervene, for entirely opposite reasons, to set back the process of emancipation in which he himself believed. The reasons for his decision are not easily explained. Fitzwilliam attributed it entirely to the vindictive actions of those whom he had deposed. " Let my friends no longer suffer the Catholic question to be mentioned," he wrote subsequently to Lord Carlisle, " as entering in the most distant degree into the causes of my recall. Had Mr. Beresford never been dismissed, I should have remained." There is no doubt whatever that the Beresford interests had much to do with it. They mobilised all the influence of Fitzwilliam's predecessors, who hated Fitzwilliam and his liberal policy, in addition to exploiting the personal influence of Fitzgibbon and other able members of the Irish administration upon Pitt, to discredit the new Viceroy and thwart the programme of emancipation and of reform which he had initiated.

The Catholics held a great meeting of protest in Dublin and sent a deputation to the King to ask that Fitzwilliam should remain, but their protests were unavailing. The situation became so menacing that Fitzwilliam, who desired to leave Ireland at once, was obliged to await the arrival of his successor. On 25th March he sailed. Lecky, in a famous

passage, described the day of his departure as " one of the saddest days ever known in Ireland. The shops of Dublin were shut. All business was suspended. Signs of mourning were exhibited on every side. The coach of the Lord-Lieutenant was drawn by some of the most respectable citizens to the waterside, and the shadow of coming calamity cast its gloom upon every countenance. It was, indeed, well justified. From that time the spirit of sullen and virulent disloyalty overspread the land—' creeping,' in the words of Grattan, ' like the mist at the heels of the countryman.' "

CHAPTER IX

PITT'S POLICY OF BLACKMAIL

But although the dismissal of Beresford was the immediate occasion of the manœuvres which led to Fitzwilliam's recall and to the violent repression of the Catholic agitation in the following year, it was not this personal matter, but the definite adoption of a new policy in regard to Ireland, that decided Pitt to obstruct the Catholic movement for the time being. Fitzgibbon and the other Irish politicians who had supported the violent protests against Fitzwilliam's Viceroyalty had been obliged to impress their own alternative programme upon Pitt to reinforce the personal issue that was involved ; and it was thus that Pitt entered into his fatal alliance with Fitzgibbon to withhold all further concessions to the Catholics, as a method of abolishing the Irish Parliament altogether. His own policy was by no means the same as Fitzgibbon's, but he saw the immediate possibilities of using the fanatical Protestantism of Fitzgibbon for his own ends. For years the Irish Parliament had been a thorn in the side of the English administration. Its much-boasted legislative independence was proved on many occasions to be a mockery, and not least in connection with the Catholic question, on which Pitt twice rode rough-shod over it—first to enforce concessions, and the second time to prevent them.

Fitzgibbon and the Beresford faction, firmly entrenched in control of the Irish administration, and in enjoyment of its vast resources of patronage, saw that under a Union with the English Parliament the question of reform would become indefinitely remote ; and they saw, above all, that the prospect of being overwhelmed by Catholic representatives in the Irish Parliament would no longer be an imminent

menace to their own privileged position. Pitt, who did not share Fitzgibbon's rancorous hatred of the " Papists," and who was utterly indifferent to maintaining the privileges of the Beresford faction, had a much larger object in view. The overwhelming danger with which England was faced by the war with France made him determined to strengthen the hold of the English Government upon Ireland, and to eliminate the possibility of independent action by the Irish Parliament. He found Fitzgibbon to be a man of extraordinary ability and force of character, who, in the interests of the Irish ascendancy, was determined to destroy the Irish Parliament from within. Their conversations, when Lord Fitzwilliam had raised a hornet's nest by his dismissal of Beresford, convinced Pitt that the abolition of the Irish Parliament was a practical possibility if he played his cards with skill. And he proceeded to play his hand accordingly.

Fitzwilliam's successor, Lord Camden, arrived in Dublin as Viceroy at the end of March. Special precautions, including a change of the arrangements at the last minute, had to be taken for the State Entry of the new Viceroy ; and though the procession passed through the streets without incident, a mob attacked the carriage in which the Primate and Fitzgibbon were returning from Dublin Castle afterwards. The riot assumed serious proportions before evening, and angry crowds attacked the houses of the Chancellor, the Primate, the Speaker, and of Beresford. Troops were called out to restore order, and two men had been killed before the day ended. The new regime was thus inaugurated with all the outward signs of violent conflict. Pelham, the new Chief Secretary, had arrived in advance of the new Viceroy, and in his earliest reports he reveals the dangerous situation that was quickly arising. A secret oath-bound society, he reported, had been formed inside the Catholic Committee ; and it was said " that upon a closer investigation of their strength and influence," since Fitzwilliam's recall, the Catholic Committee were " led to despair of anything effectual without the assistance of the French, and

it is seriously in their contemplation to send an embassy to Paris, if the Catholic question should be lost in the Irish Parliament."

Fitzwilliam's warnings had been only too literally fulfilled. Deprived of all hope of justice, the Catholic democracy inevitably turned its eyes towards France. The overthrow of the liberal administration had, as he foretold, been immediately followed by the formation of a " Protestant cabal " which set itself deliberately to revive the old method, so familiar in Irish history, of inflaming one section of the people against the other on religious grounds. All the materials for such a conflagration were in existence, and in a highly inflammatory state. The new Government proceeded to fan the embers into a general fire. The new Viceroy's secret instructions ordered him to do all in his power to organise the Protestant interests against any concession to the Catholics, and to convince them that such concessions could only overthrow the Protestant ascendancy. He was to inform them that the English Government " will be ready to make every exertion they can desire, to prevent the admission of Catholics to seats in the legislature." Meanwhile, Fitzgibbon had appealed directly to the King, in letters which were delivered to him by Lord Westmorland, " with a view, and with more effect than could be wished, to prejudice his mind and *to alarm his conscience* against the concession to the Catholics."

Pitt's preoccupation with the European war left him little time to attend to the results of the new policy which he had sanctioned. But there is clear evidence that he was apprehensive of its results when he heard how the methods adopted by Fitzgibbon were working out. The debate on the second reading of the Catholic Bill in May showed how completely divorced from popular sentiment or from logical consistency the Government's new policy was. " It shows with a painful vividness," writes Lecky, the chief eulogist of the Irish Parliament, " the character of the Irish House of Commons—a body which contained a group of statesmen, who in ability,

patriotism and knowledge would have done honour to any legislature, but also a body in which eloquence and argument dashed uselessly and impotently against a great purchased majority." The principal agents of this system of purchase were Fitzgibbon and the Beresford group, whom Pitt had now reinstated, giving them a free hand to resist the popular agitation for the completion of that policy of concession which by the legislation of 1774, 1778, 1782 and 1793 had accomplished all but the final stages of Catholic emancipation. Sir Lawrence Parsons, one of the most devoted champions of the Catholic rights, summed up the new situation in a bitter speech on the second reading of the Bill. " In 1792," he declared, " a majority decided against giving any further privileges to the Catholics. In 1793 the same majority passed the Catholic Bill. At the beginning of this session every one believed that a majority would have voted for this Bill. Every one believes that a majority will vote against it now, and should the English Ministers in the next session wish it to pass, who does not believe that a majority will vote for it ? Besides, if the English Ministry should be changed, an event perhaps not very remote, this Bill would be immediately adopted."

George Knox, another supporter of the Catholics and a friend of Wolfe Tone, argued passionately for the Bill, in a speech which gives a luminous picture of the changes which had already taken place in the position of the Catholics. The policy of emancipation during the previous fifteen years, he argued, had " opened the gate of knowledge and opulence," and had produced in Ireland already an " unexampled and rapidly increasing prosperity." It was madness, he urged, to refuse the final concession which the great mass of the people demanded as their right. " The great body of the people is Catholic," he protested. " Much of the real, and no small share of the personal, property of the country is in Catholic hands. The lower class, ignorant and turbulent, are fit instruments in the hands of irritated and unsubdued ambition. In a few years, if trade increases, the

Catholics must possess almost a monopoly of the personal wealth of the kingdom, a control, therefore, over the numerous class of manufacturers and mechanics—a description of people the most prone to turbulence." "If we drive the rich Catholic from the legislature," he pleaded, "and from our own society, we force him to attach himself to the needy and disaffected. We oblige him, if pride and ambition have their usual operation, to breed and nourish discontent, and keep alive a religious quarrel." But these appeals—and there were many of them from generous Protestants who proclaimed, without any attempt by the cynical Government to challenge their assertions, that the Protestants throughout the country were all in favour of granting their full rights to Catholics—were utterly unavailing. The same Parliament which a few months before had been ready to pass a full measure of Catholic emancipation, now threw out the Catholic Bill on its second reading by 155 votes to 84.

To make the new attitude of the Government still more clear, the chief opponent of the Catholic claims, Lord Fitzgibbon, was given an earldom as Lord Clare; while Beresford, who, as the personification of all that was corrupt and bigoted in the Irish administration, had been dismissed by Fitzwilliam, was now reinstated by Fitzwilliam's successor. The new regime was thus installed on wholly unequivocal terms; and since the Government must in decency make some sort of attempt to recognise the disabilities of the Catholics, a new departure was made in trying to apply to them the same methods of corruption which had been so completely successful with the Protestant Parliament. Fitzgibbon now undertook an attempt to buy off the opposition of the Catholic clergy, while Pitt discreetly embarked upon his own method of encouraging hope for liberation from the corrupt Irish Parliament, if the Catholics would support his policy of abolishing the Irish Parliament with a promise that Catholic emancipation would be carried at Westminster.

There were the strongest reasons for giving to the Catholic

clergy the bribe which Fitzgibbon now proceeded to offer them. For generations the Irish clergy had been educated almost exclusively in Continental countries, and in recent years the great majority of them had been educated in France. The time was well within the memory of many living Catholics when those who sent their sons abroad for education in the priesthood, or even for any form of education, did so at the risk of savage penalties which were actually enforced. The inevitable result had been to establish a direct and constant contact between Catholic Ireland and those countries of Europe—especially France—with which England was now at war. The ecclesiastical colleges where they received their education had gradually acquired very considerable endowments ; and unless some definite provision was made for the education of the Catholic clergy in Ireland, they must be expected to continue going there. Chance had played into Pitt's hands in the matter when the Irish College in Paris had sought protection from the attacks of the atheist revolutionaries by appealing to the British Embassy in Paris. Burke's denunciations of the educational restrictions in the penal code had attracted attention to the question, and definite proposals for the establishment of a Catholic college in connection with Dublin University had been under consideration for some time.

In 1794, the year after the passing of the great Catholic Relief Act, the Irish bishops had formally appealed to the Lord-Lieutenant, explaining the disturbance of their college in Paris, to request a royal licence for the endowment of ecclesiastical seminaries in Ireland. Burke, who had been following the question closely while his son was acting as agent for the Irish Catholics, had written very strongly to Grattan to urge that, if the education of priests in Ireland was not made possible, " barbarism and Jacobinism will almost certainly enter by the breach made by the atheistic faction in France in the destruction of the Irish seminaries in that kingdom." In the few weeks of Fitzwilliam's Viceroyalty, a definite promise of new measures to provide for

Catholic education had been made in the speech from the Throne ; and the Irish bishops had met to consider the matter in Dublin, assisted by the presence of Burke's friend, Dr. Hussey, who had come over recently from London. Dr. Hussey had remained in Ireland, by urgent request, after Fitzwilliam's recall, till the matter was carried further. The negotiations had already reached an advanced stage, and while the Catholics were plunged into despair at the growing evidences of a new regime of coercion, the arrangements were completed for the foundation of St. Patrick's College at Maynooth.

Under the terms of the Maynooth Bill the new college was to be open to lay as well as ecclesiastical students ; but it assumed from the start the position which it has since occupied, of being the principal seminary for the education of the Irish priesthood. Its direction was entrusted to a board of trustees, which nominally included the Chancellor and the three other principal judges ; but in practice it was entirely controlled by the Catholic bishops who, individually elected for the purpose, formed the majority of the board. The statutes of the new college empowered the trustees to buy land to the value of £1000 a year, and to receive private endowments without limit for the purposes of the college. No direct endowment by the Government for educational purposes was made at first ; but a grant of £8000 was voted at once by Parliament towards the cost of the buildings and their equipment.

But whatever the Government hoped to gain by this meagre act of conciliation was soon submerged in a wave of growing lawlessness and civil strife which swept the country. The United Irishmen Society had been suppressed at the close of 1794, but was re-formed as an oath-bound secret society in the following year. During the summer the trial of Arthur Jackson for treason took place, and Wolfe Tone, who had been deeply implicated in seditious correspondence, found it necessary to leave the country in haste. He travelled to Philadelphia, where he was joined before

long by several of the other republican leaders ; and after a short interval Tone sailed from America to France, where, as agent for the United Irishmen, he set himself, with almost immediate success in face of great difficulties, to interest the French War Office in organising plans for a military invasion of Ireland. The political contacts between Ireland and France developed very quickly, and this secret society, acting in close sympathy with the agrarian agitation conducted by the " Defenders," had before long made extraordinary progress. A revolutionary movement, imitating the Jacquerie which had prepared the way for the Revolution in France, enrolled its members in thousands throughout the country. Secret drilling of men armed with guns or pikes was carried on night after night ; and before long the blacksmiths were intimidated, if they did not readily volunteer, to make pikes for the revolutionary organisation.

Faced with this rapid and extremely alarming growth of a secret society, which won the sympathies of the peasantry and which was known to be in the closest direct contact with the military chiefs of France, Lord Camden's Government initiated measures which intensified the prevailing discontent to fever pitch. Throughout the west, when other means of suppressing the agitation failed, magistrates without any legal authority whatever took the law into their own hands by deporting scores and hundreds of young men, and kidnapping them to be forced to serve in the fleet. A reign of terror spread throughout the country, in which the Government employed or countenanced methods which were admitted by Camden himself to be as illegal as the organisations they sought to repress. And to add to the growing confusion and strife, which within a year had given the whole country over to anarchy, the Government deliberately fostered the formation of Protestant societies intended to counter the activities of the Defenders and of the United Irishmen by brutal violence. In 1795, the Orange Society was first founded in Ulster ; and within a few months the former tendency towards union between the Presbyterians and the

Catholics in the north had given place to a sectarian conflict such as had not existed in Ireland since Cromwell's time. Fitzgibbon, inspired by a fanatical hatred of the Catholics, and determined to carry the Act of Union within as short a period as possible, in order to preclude the possibility of Ireland passing into the hands of the Catholic majority, left no stone unturned to sow division among the Protestants and the Catholics in the north. Outrages were deliberately encouraged against the Catholics, in order that they might execute reprisals against the Protestants, which in turn would inflame sectarian hatreds beyond all control.

Throughout 1796 conditions hastened from bad to worse. The belief that Camden and Fitzgibbon were deliberately encouraging the persecution of Catholics—which had driven tens of thousands of homeless refugees from Ulster into the south—had become accepted throughout the country. At the end of the year, in resisting the emergency measures for a suspension of the Habeas Corpus Act, Grattan expressed in scathing phrases what was universally believed among the Catholics. He loosed all his capacity for scornful indignation against the Chief Secretary, who had openly stated a little time before that "the exclusion of Catholics from Parliament and the State was necessary for the Crown and the connection." "An English gentleman," he declared, "on the part of the British Cabinet, comes to this country to tell us that it is necessary for his country that we should exclude ours, or the principal part of ours." What dictation could France have suggested, exclaimed Grattan, "more opportune in time, or more pregnant in disaffection," than such a declaration by the Chief Secretary! "The Catholic question was made by Government a matter between the people of Ireland and the Crown of England." Every hope of carrying Catholic emancipation had vanished within a year. But for the last time Grattan brought forward his Catholic resolution. It was opposed, on grounds of expediency, even by Sir Hercules Langrishe, the veteran supporter of the Catholic claims; and, on a division, Grattan

was out-voted by 143 votes to 19. This decisive vote deprived the Catholics of all further hope of emancipation from the Irish Parliament while it remained in the hands of the Protestant landlord class; and Grattan's repeated professions that the landlords were misrepresented by the House of Commons could not indefinitely convince the mass of the Catholics who judged by actions, not by words.

This sweeping rejection of the Catholic Bill was admirably suited to further the aims of Pitt, as well as of Fitzgibbon. Pitt counted on being able to win the sympathies of the Catholics by promises of carrying emancipation in London; and although Fitzgibbon was convinced that the King neither would, nor could, consent to the passing of such a Bill, Pitt knew the immense extent of his own power. Meanwhile, the condition of Catholics in Ireland was fast becoming intolerable. A year before they had merely demanded their right to sit in Parliament, and to be admitted to the inner Bar and to other privileged positions. Now their resentment at the refusal of their rights had given way to feelings of utter consternation, in face of a deliberate and systematic campaign of violence against them. The peasantry had become infected with the lawless doctrines of a revolutionary and an agrarian agitation, which had by now joined forces. Rumours of an imminent invasion of Ireland from France were constantly in circulation and were known to be well founded. And the measures of violent coercion adopted by the Government had created such a universal hatred of the existing Government that the Catholic democracy were ready at any moment to welcome a French invasion. In Ulster, conditions had passed completely out of control; and the Government, in its determination to suppress agitation by the Catholics, was deliberately encouraging the Protestant mobs to commit outrages against them. By reviving the sectarian hatreds of Protestants and Catholics, Fitzgibbon counted upon disrupting the alliance with the Dissenters which had been effected by the activities of the United Irishmen. By the spring of 1797 the province had become

so disorderly that the Government decided upon a measure of rigorous repression.

The situation had become so critical that even Grattan—who had been the chief protagonist in proclaiming the absolute independence of the Irish Parliament—humiliated himself to the extent of getting Fox to move a resolution at Westminster demanding an Address to the King, praying him to take into consideration the disturbed state of Ireland, and to attempt conciliation by generous measures. Pitt, who had suffered much from Grattan's opposition in previous years, must have exulted at such an abject spectacle. He turned the tables upon Grattan and Fox by proclaiming himself more sensitive than anyone to the rights of the independent Irish Parliament. He opposed the proposal for an Address to the King as being "nothing less than an attempt directly to control the legitimate authority of the Parliament of another country; to trespass on the acknowledged rights of another distinct legislative power." Grattan, in fact, was given as plain an intimation as could be, that he could not expect to have things both ways. If the Patriots insisted upon independence they must not come crying to the English Parliament to assist them when the Irish Parliament showed itself insufferably stupid and bigoted. If they were prepared to give up their Parliament, the whole position would, of course, be changed. But on that assumption, it was not with the "Patriot" group of Protestant landlords in Dublin, but with the leaders of the Catholics themselves, that Pitt was preparing to negotiate.

While the country was thus rushing headlong towards revolution, even Grattan and his colleagues, with all their fear of an insurrection by the populace, with all their experience of the possibilities of a sudden collapse of hostile majorities in Parliament, despaired of obtaining any redress from a Parliament and an administration which were so obdurately irreconcilable. Their Reform and Emancipation Bill of May 1797 met with such a hostile reception that they decided it to be useless to proceed further. "I cannot

banish from my memory," said Grattan, in his speech which was a final appeal on behalf of the party of Reform, " the lesson of the American war. If that lesson has no effect on ministers, surely I can suggest nothing that will. We have offered you our measure. You will reject it. We deprecate yours ; you will persevere. Having no hopes left to persuade or dissuade, and having discharged our duty, we shall trouble you no more, and after this day shall not attend the House of Commons."

But the House was unmoved by this last forlorn appeal. Grattan was out-voted by 117 votes to 30 ; and with Curran, Ponsonby and other friends, he retired there and then from parliamentary life, and took no further part in the House of Commons until he returned to conduct, against the effort to achieve the Act of Union, those passionate debates by which his name is most widely known. It was not surprising that when Grattan and his friends, themselves members of the ascendancy class, declared themselves publicly as hopeless of any further redress by parliamentary action, the Catholics—who were utterly excluded from Parliament—declined to take any further interest in the proceedings of a bigoted Parliament of Protestant landlords, and turned their attention to examining the possibilities of winning concessions from a Union with England, which would involve the abolition of their own implacable enemies. The rebellion which eventually broke out in 1798, and was suppressed with savage reprisals, only confirmed them in an attitude which had been developing for several years.

CHAPTER X

THE CATHOLICS SUPPORT THE ACT OF UNION

LECKY, in his account of the last struggle of the Irish Parliament, goes so far as to say that "the first great question before the English Ministers was whether the admission of Catholics to the Imperial Parliament should be made a part of the Act of Union. Cornwallis in Ireland and Dundas in England greatly desired it; Cornwallis invariably maintained that the ultimate success of the Union depended mainly upon the speedy concession of Catholic Emancipation, and Canning had advised Pitt to postpone the Union scheme until a period in which he could combine it with that measure." But Pitt's difficulties were immense. Those upon whom he relied in Ireland to carry the Act of Union—and Lord Clare especially—were fiercely opposed to any form of concession to the Catholics. And in England the King, who shared his desire for the Union, had so sensitive a conscience about the danger of admitting the Papists to political rights that the subject could scarcely be mentioned in his presence. Seeking to enlist the sympathy of the Irish hierarchy, Pitt offered them financial support on certain conditions. His offer was made during the desperate period that followed upon the suppression of the rebellion of 1798, and the group of bishops whom he consulted did, in fact, accept it provisionally. Pitt thereupon made it absolutely clear that, while he favoured, and intended to introduce, Catholic Emancipation, he would never allow Catholics to be admitted to a separate Irish Parliament. He impressed upon them that their only hope now lay in supporting his own plans for the Union. As proof of his intentions, he promised that no clause would be inserted in the Act of Union which might preclude the admission of Catholics to

the British Parliament. And, in fact, under the fourth article of the Act of Union, the oaths excluding Catholics were retained only "until the Parliament of the United Kingdom shall otherwise provide."

After the rebellion of 1798 had taken place, Pitt's ulterior motives had become so plainly suspected that some of the Irish anti-Catholics saw the necessity of altering their own attitude if the Union was to be averted. This, in time, alarmed Pitt and Castlereagh, who anxiously invited the Cabinet in London to consider whether an immediate declaration to the Catholics might not be advisable. But the Cabinet held that any pledge to introduce Catholic Emancipation as a sequel to the Union might scare some of the Protestants who were relied upon to support the Union; and nothing more definite was forthcoming than a full assurance, officially conveyed by Lord Cornwallis as Viceroy, that the Cabinet favoured the Catholic claims. This assurance by Cornwallis did, in fact, mislead the Catholics completely. They had no knowledge of the internal divisions in the Cabinet, which were revealed afterwards when the King declared his opposition in 1801. They believed that the suave promises of Castlereagh were tantamount to an honourable pledge. But Castlereagh was chiefly concerned to exploit their desire for just treatment; and his sympathy with their claims, though genuine, was no more than platonic. "The Catholics," he wrote in a letter at the time, "if offered equality without a Union, will probably prefer it to equality with a Union; for in the latter case they must ever be content with inferiority; in the former they would probably by degrees gain ascendancy." "Were the Catholic question to be now carried," he goes on, "the great argument for a Union would be lost, at least as far as the Catholics are concerned. . . . I conceive the true policy is by a steady resistance of (the Catholic) claims so long as the countries remain separate, to make them feel that they can be carried only with us through a Union."

How far did the Catholics lend themselves to this cynical

exploitation of their disabilities ? " The truth seems to be," writes Lecky, with the reluctance of a devoted admirer of the Irish Parliament, " that the overwhelming majority of the Catholics, including multitudes who had been granted the suffrage in 1793, were far too poor and ignorant and degraded to have any political convictions, and were totally indifferent to the fate of the Irish Parliament." Nor was it only among the uneducated peasantry that Pitt found support. There was, as Lecky admits—again regretfully—" a considerable body of loyal and educated Catholic opinion, and it is unquestionable that a large, an influential, perhaps a preponderating portion of this decidedly supported the Union." Lecky, from the distorted standpoint of an ascendancy chronicler, points out that various " great Catholic towns " had petitioned against the Union—apparently forgetting that Catholics still had very little influence over public affairs. Even so, Cork actually petitioned for the Union. Its Catholic bishop, Dr. Moylan, who felt that the Union with a promise of emancipation was preferable to continued subjection to a bigoted Irish ascendancy, was one of its strongest advocates. Lecky may be quoted further, since no historian could be more reluctant to admit the actual facts in this case. " Beyond all other classes," he goes on, " the Catholic bishops seem to have been united in favour of the Union. Troy, the Archbishop of Dublin, led the party with remarkable skill and energy, and he was actively supported by the Catholic Archbishops of Armagh, Tuam and Cashel, and by the bishops of Cork, Wexford, Meath and Kilkenny. Dr. Bodkin, who had long been the agent of the majority of the secular prelates at Rome, Arthur O'Leary, who was incomparably the most brilliant of popular writers among the Irish Catholics, Lord Kenmare and Lord Fingal, who were the most prominent leaders among the Catholic gentry, were all upon this side, and priests were the most active agents in obtaining addresses for the Union." Years afterwards, Sir Henry Parnell—one of the most generous and loyal sup-

porters of the Catholic claims, who was dismissed from being Chancellor of the Exchequer for his opposition to the Union—was to admit in all frankness in a speech in 1823 that " the Protestants generally opposed the measure, the Catholics as generally supported it ; and had it not been for their support it is now universally admitted that the measure could not have been carried."

By the late spring of 1798, when the Catholics, inflamed beyond endurance by active persecution and by outrages committed under the ægis of the Government, had at last risen in open revolt under the direction of the United Irishmen Society, these negotiations between Pitt and the leading Catholics were already nearly complete. The rebellion was the climax of the policy which Pitt and Fitzgibbon had inaugurated with a view to overthrowing the Irish Parliament. Henceforward the survival of a separate and independent Legislature in Ireland governing in the name of England was impossible. It could not hope to suppress the rebellion without the aid of English troops. And, in the absence of such aid, the Protestant establishment imposed upon an overwhelmingly Catholic country could not conceivably be maintained by a Parliament of Protestant landlords who resisted every demand for popular representation. The plan had succeeded to perfection. Whether the Government did directly provoke the atrocious series of outrages inflicted upon Catholics all over the country, which finally drove the Catholics to armed insurrection, or whether the Government was merely powerless to control the forces which it had deliberately set to work for the coercion of the Catholic masses, is a matter of relatively small importance. Fitzgibbon and Pitt had between them accomplished, at enormous risk to the British Government, what they deliberately set out to do after they had decided upon the recall of Lord Fitzwilliam. The Catholics had been taught that no redress of their disabilities could be obtained from the Protestant Parliament in Dublin. They had been so persecuted and oppressed under orders from

Dublin Castle that they had become willing to listen to the promises of emancipation which were made by Pitt and Castlereagh on condition that they supported the abolition of the Irish Parliament. The insurrection was the direct result of four years of organised persecution, and it led to reprisals on such a scale that the Catholics had no further hesitation in listening to the promises which were renewed with increasing emphasis.

Lord Camden, realising that another Viceroy must replace him, when his own policy had resulted in armed insurrection, while a French invasion was expected almost from day to day, had resigned office ; and Lord Cornwallis, an honest, peace-loving man who believed in just administration, had been sent immediately to be his successor. He was scandalised by the mentality of the officials who surrounded him. The words Catholicism and Jacobinism—which in other countries were universally regarded as opposites—were, he found, used commonly as interchangeable terms among the members of the Irish administration. " The violence of our friends and their folly in endeavouring to make it a religious war," he complained bitterly, " added to the ferocity of our troops, who delight in murder, most powerfully counteract all plans of conciliation. The minds of people are now in such a state that nothing but blood will satisfy them, and although they will not admit the term, their conversation and conduct point to no other mode of concluding this unhappy business than that of extirpation." He was appalled by the daily conversation at Dublin Castle which, in spite of all his own efforts to prevent it, invariably " turned on hanging, shooting, burning, etc. etc., and if a priest has been put to death, the greatest joy is expressed by the whole company." Executions and murders and acts of wholesale reprisal continued for months after his arrival, until the Catholics were reduced to a state of utter despair. Cornwallis, who was wholly unprepared for the conditions over which he had to preside, was soon being denounced throughout the administration for his attempts to introduce

a " ruinous system of levity." The Protestant Bishop Percy had foreseen, on first meeting him, that Cornwallis " will not be a favourite here, for he is very sober himself, and does not push the bottle. They also think him too merciful to the rebels." And Fitzgibbon, whom Cornwallis praises repeatedly in his early letters as a much-maligned person who was the " most moderate man " in the Irish Government, was before long to send indignant protests to London against the feebleness of the new Viceroy.

But the unpopularity of Cornwallis among the ascendancy group in Dublin Castle made him all the more useful as a negotiator with the Catholics, who were by this time reduced to a state in which any escape from the tyrannical persecution of Dublin Castle was to be welcomed. Cornwallis was convinced from the outset of the desirability of a legislative Union. Pelham, the Chief Secretary, had been ill throughout the rebellion, and Lord Castlereagh was acting for him for some time before he was actually appointed as his successor. Castlereagh and Pitt were fully determined to exploit the existing opportunities to the utmost. Their chief trouble was to overcome the prejudices of Fitzgibbon, who would have changed his whole attitude towards the Union if he believed that it was intended to be followed by emancipation of the Catholics. The negotiations were, therefore, undertaken with the greatest caution, and Fitzgibbon was deliberately kept in ignorance of what was being discussed. Pitt's apologists have always insisted that he never gave any definite pledge to the Catholics, beyond expressing his personal sympathy with their claims ; and it is probable that he succeeded in avoiding any exact pledge to them himself. But Cornwallis, who, as Viceroy, was his principal agent in Ireland, did not hesitate to commit himself, and was quite genuinely determined that the Catholics should obtain their rights. In a letter which describes the difficulties involved in Fitzgibbon's implacable opposition to any concession to the Catholics, he wrote : " I am determined not to submit to the insertion of any clause that shall make the

exclusion of the Catholics a fundamental part of the Union, as I am fully convinced that, until the Catholics are admitted into the general participation of rights (which when incorporated with the British Government they cannot abuse), there will be no peace or safety in Ireland."

Fitzgibbon, however, was taking no risks, in view of his distrust of the liberal principles of Cornwallis. In October he sailed for England to interview Pitt, to persuade him that, while the Union offered the only hope of preserving the connection between the two countries, Protestant ascendancy in Ireland must at all costs be maintained. Cornwallis wrote at once to Pitt, warning him that " the small ascendancy party in Ireland " were in so precarious a position that no irrevocable alliance should be made with them. Fitzgibbon, however, returned to Ireland well satisfied with the results of his mission. He had found the English Ministers " full of Popish projects," but he believed that he had at least persuaded them to have nothing further to do with Catholic emancipation in connection with carrying the Union. It was then that definite proposals for carrying the Union as an immediate measure were first discreetly put forward. Their reception among the Protestant landlords was mixed. The suggestion that they were helpless to preserve order in the country was resented by many of them, now that the rebellion had been effectively subdued with English assistance. But the arrival of Castlereagh as Chief Secretary, after Pelham's resignation, brought a powerful new influence into play. The opposition among the Protestant ascendancy to the proposed Union was much stronger than either Fitzgibbon or Pitt had foreseen. The Patriot group, who had led the demand for legislative independence nearly twenty years before, once again obtained a hearing for their appeal to Irish national pride ; and even the campaign of obloquy and hatred against Grattan—who was accused of being implicated with the rebel leaders, and had been dismissed from the Privy Council and struck off the rolls of many important public bodies—did not prevent his recovering a considerable

influence, which before long gathered immense momentum as the fears and prejudices of the vested interests were aroused. The Irish Bar rallied almost immediately against the Union, as they saw the prospect of losing much of their old prestige, and of their professional occupations. The great borough proprietors were thoroughly alarmed at the notion of losing their lucrative hereditary power. It became evident that all the cynicism and force of character of Fitzgibbon would have to be strained to the utmost if the Union was to be carried.

In such a situation the Catholics, for the first time, acquired an immense political influence. Had the Protestant ascendancy offered them any sort of real encouragement, their whole weight would have been thrown against the Union—under which they must obviously have far less power than they could expect to acquire in their own country if they were admitted to Parliament. But the bloodthirsty men whose daily conversation at the Castle so scandalised the new Viceroy were incapable of being generous, even in their own interest. The Catholics had been irrevocably convinced by what happened during the rebellion, and in the years of persecution which had provoked it, that the prospects of redress were much greater if the Irish Parliament and its corrupt administration were abolished utterly. Fitzgibbon's advocacy of the Union was not calculated to inspire confidence among them; but they believed that Fitzgibbon was blindly pursuing a policy which must defeat his own ends. Pitt had shown twice already—first by granting emancipation and later by withholding its final stage—that the real power lay with the English Government; and not only Pitt, but his new Viceroy Cornwallis, and his new Chief Secretary Lord Castlereagh, were known to be strongly in favour of the Catholic claims. It required an act of faith, of which the Catholic aristocracy and the Catholic bishops were incapable at the time, to believe that the Irish ascendancy could be overthrown by popular agitation more quickly than any plans for Catholic emancipation from

the English Parliament were likely to materialise. Those Catholics (of whom O'Connell as a young barrister was one) who opposed the Union on this longer view were in a hopeless minority, and Castlereagh was very soon able to come to an understanding with the bishops and with the more important Catholic leaders.

Fortified with the unqualified support of the Catholics as a whole, Castlereagh kept Fitzgibbon in the dark as to the promises by which he had pacified them. Fitzgibbon's special preoccupation was to employ those methods of corrupt practice which he had so often utilised before among the ascendancy who controlled the Irish Parliament. His task was greatly simplified by the universally accepted rule that members who owed their seats in Parliament to the nominations of the great borough owners must vote as their masters ordered, regardless of their own opinions. To buy the consent of the great proprietors was the immediate business of the Government ; while the Catholics looked on in grateful expectation of their deliverance from an intolerable tyranny. " A shameless traffic in votes began," writes Lecky, " and many men of great name and position in the world were bought as literally as cattle in the cattle market." The Duke of Portland had sent definite word to the Lord-Lieutenant that he was to " assure all persons who had political influence that the King's Government was determined to press the Union, as essential to the well-being of both countries, and particularly to the security and peace of Ireland as dependent on its connection with Great Britain " ; and that even if it were not carried at the first attempt it would be " renewed on every occasion until it succeeds, and that the conduct of individuals upon this subject will be considered as the test of their disposition to support the King's Government."

Grattan and his Patriot group in the Irish Parliament watched the triumphant progress of Fitzgibbon's efforts with utter dismay. In despair they themselves attempted to raise a great fund to counteract the bribery that was being

conducted from Dublin Castle among a class of landed proprietors and gentry, whom Cornwallis, in a confidential outburst to one of his friends in England, described as " the most corrupt nation under heaven." But the resources of the Patriot landlords were utterly inadequate, in competition with those of Dublin Castle—which was able to foist recklessly upon succeeding generations of Irishmen the enormous cost of this bartering of Ireland's legislative independence. Meanwhile, the Catholic bishops were not neglected, while offers of money were being so lavishly made. Both Castlereagh and Fitzgibbon were agreed upon the necessity of making them subservient ; and though their offers met with slight encouragement, it was impossible for them to ignore altogether those Catholics who were friendly to the Union, when so much largesse was being distributed among the Government's opponents. At a meeting of the trustees of Maynooth in January 1799, it was definitely agreed " that a provision through Government for the Roman Catholic clergy of the kingdom, competent and secured, ought to be thankfully accepted." And the same group of bishops even committed themselves, in the atmosphere of terrorism and corruption that prevailed at the time, to accepting the first tentative suggestions for a veto by the Government upon the nomination of bishops—which was to be the principal contention for twenty years afterwards—while the English Catholics were attempting to secure Catholic emancipation by means of compromises. The endowment of Maynooth had already provided the Government with a definite leverage upon the Catholic bishops, and the episcopal trustees of the college, so long as the amount of subsidy to be given by the Government was kept an open question from year to year, were now permanently available to the Government for the purpose of direct negotiations. No grant, apart from the £8000 voted for the building of the college, had been given in the first year of its establishment ; but in the succeeding three years, further grants totalling £27,000 had been made. In 1799, when the Government had been

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defeated in its first effort to carry the Union through the Irish Parliament, a secret agreement was now made for a permanent annual endowment of £8000.

Such friendly relations had been established between Castlereagh and the Irish bishops by this time that the bishops, whose support for the Union had already been secured, even concurred in discouraging an open association of the two questions, for fear that certain Protestant supporters of the Union might be frightened by the prospect of its leading immediately to Catholic emancipation. The reception of the Government's Bill for making the Maynooth grant permanent showed how well founded were these fears. Fitzgibbon had to be kept in ignorance of the agreement made by Castlereagh, and he immediately opposed the Bill and secured its defeat in the House of Lords. Fitzgibbon knew Ireland better than Castlereagh, and his political views were implacably consistent. The same dread of allowing the Catholics to obtain admission to Parliament made him determined to keep the Catholic bishops completely dependent upon the goodwill of the Government in power. He supported the Bill for renewing the grant to Maynooth for one year, but he was ruthlessly opposed to giving them any sort of security which might make them independent.

The carrying of the Act of Union in spite of every effort by Grattan, as the spokesman alike of those who disdained bribes and of those who were convinced that their private interests would suffer by the abolition of the Irish Parliament, is outside the scope of this book. Lecky records with melancholy frankness that a state of complete apathy seemed to have settled upon the country in the last stages of the fierce contest in Parliament. Grattan's heroic eloquence aroused no echoes outside the Parliament House, and in the Parliament itself votes were bought even at the last minute from dissolute young landlords who were willing to enter any lobby if their debts were paid. Lavish provision had been made—again at the expense of the Irish taxpayers—

to compensate all the borough owners, whether they voted for the Union or against it. By the end of June the Union had been carried through its final stages. A new flag was flown from the Government buildings in the capital, and the Irish Parliament House was very soon purchased by the Bank of Ireland.

CHAPTER XI

YEARS OF DISILLUSION

For the Catholics, who were the vast majority of the Irish people, the curtain had at last been rung down upon a stage where the name of the people had been sanctimoniously invoked year after year by a group of arrogant men whose chief concern had been to keep them in subjection. "They called it our Parliament," said the Catholic leader, Denys Scully, in a famous phrase of scorn; "it was their club-house." It remained now to await the emancipation which had been promised by the English Government, which had closed down the Chamber from which the Catholics had been so disdainfully excluded. Little did the Catholics foresee that a whole generation must pass before those promises were to be fulfilled—and then only in submission to a vast popular agitation organised by one of themselves, whose indomitable courage and unexampled genius as a popular leader was to override the opposition of King and Parliament, with the conqueror of Napoleon at its head.

That the Catholics had been promised emancipation if they supported the Union is beyond all doubt. Cornwallis, who acted under Pitt's instructions, could scarcely have been more explicit than he was. Both Castlereagh and Cornwallis were well aware—and they have left their conviction on the matter in writing—that if the Catholics had sided with the Protestant opponents of the Union, they could have made the country quite ungovernable until the project of a Union was abandoned. Efforts were actually made by some of the Protestant landlords, when it was already too late, to give a definite promise of Catholic emancipation from the Irish Parliament if the Catholics aided them in resisting the Union. But the Catholics had not forgotten the recall

of Fitzwilliam, and they could not fail to see that Pitt's authority was more than ever supreme, since the Irish Parliament had had to appeal for English troops to put down the rebellion of 1798. So, when Cornwallis became always more emphatic in his promises, and Castlereagh became more and more polite and benevolent in the negotiations with the Catholic leaders, they did not hesitate in throwing their weight on to the winning side. A year later, in 1801, Castlereagh was to remind Pitt that, acting on instructions from the Cabinet, " the Irish Government omitted no exertion to call forth the Catholics in favour of the Union." What the Catholics did not know was that both Cornwallis and Castlereagh were fully aware that the Cabinet was divided on the question. And though the Catholics must have realised that the King was implacably hostile to their claims, they did not know that when Cornwallis had been appointed Lord-Lieutenant, the King himself had written a letter at once to Pitt, informing him that " Lord Cornwallis must clearly understand that no indulgence can be granted to the Catholics further than has been, I am afraid unadvisedly, done in former sessions."

The sequel was, indeed—as Lecky says—" a melancholy and a shameful story." Pitt raised the Catholic question in the Cabinet after the Union had been passed, and the inevitable division on the subject broke out at once. The Lord Chancellor, Lord Loughborough, declared himself utterly opposed to it. He had quite lately been staying with the King, and it was his ambition to become the King's special confidant. Without consulting his colleagues, he immediately told the King of what the Cabinet had discussed ; and, mobilising his relative Lord Auckland and the other anti-Catholic leaders in England, as well as the Archbishops of Canterbury and Armagh, and the Bishop of London, he set himself to stiffen the King's well-known opposition to any concessions to the Catholics. Pitt had been well aware of the King's attitude, and he had prudently made no mention of it until his own plans were fully pre-

pared and he could unite the Cabinet in supporting him. He was genuinely anxious, in order to avert a constant danger while England was at war with Napoleon, that the Catholics should be appeased, and that the Catholic bishops and clergy should be made loyal by becoming salaried officials of the Government. Lord Loughborough's underhand behaviour had made havoc of his plans. The King was furiously angry and made his intentions clear on the first opportunity. At a levee on 28th January he said to Dundas in a loud voice in the presence of witnesses, " What's this the young Lord (Castlereagh) has brought over from Ireland ! It's the most Jacobinical thing I have ever heard of " ; and he announced that he would regard as " his personal enemy " any man who proposed anything of the kind. He then wrote a letter to the Speaker, telling him that Pitt must not even mention the subject to him.

Meanwhile, the feverish activity of Loughborough and the anti-Catholics succeeded in winning over several other members of the Ministry. On 31st January Pitt wrote formally to the King, urging the admission of Catholics to Parliament, where the Dissenters were already admitted, and of both Catholics and Dissenters to offices, subject to certain safeguards for the Established Church, and requiring declarations of political allegiance from all Catholic and Dissenting preachers and school teachers, and at the same time introducing provisions for " gradually attaching the Popish clergy to the Government, and subjecting them to superintendence and control." But Loughborough's intrigues had already undermined Pitt's position, and he could only advise this policy as being " what appeared to be the prevailing sentiments of the majority of the Cabinet." His plans had been so far thwarted that a grave constitutional crisis had obviously arisen. Either Pitt himself or Loughborough would have to leave the Cabinet, and Pitt informed the King that his opinion was " unalterably fixed in his mind, and must ultimately guide his political conduct "— to such an extent that his resignation must follow before long

if his policy were not approved. The King, fortified by the legal arguments of Lord Loughborough and by the ecclesiastical protests of the Archbishops of Canterbury and Armagh, did not hesitate in his reply. He informed Pitt bluntly that his Coronation Oath made it impossible for him even to discuss " any proposition tending to destroy the groundwork of our happy constitution, and much more so that now mentioned by Mr. Pitt, which is no less than the complete overthrow of the whole fabric." Pitt's plea that the pacification of Ireland was indispensable in time of war was wholly unavailing. The King's conscience would not allow him to consider the only policy by which Ireland could be appeased and justice be satisfied. " My inclination to a Union with Ireland," he explained further, " was principally founded on a trust that the uniting the Established Churches of the two kingdoms would for ever shut the door to any further measures with respect to the Roman Catholics."

Pitt's hint of resignation at the moment may well have been intended as no more than a threat, which he expected would prove effective. He had been confronted many times before with the stubborn and unreasoning opposition of the King, and never before had his own position been so strong. He had compelled the King on different occasions in the past to acquiescence in the dismissal of his personal favourites. He had obliged him to make Fox a Minister. He had forced the King to recognise the independence of America. And now, with his prestige at its highest as a War Minister, and with all the kudos of having carried the Act of Union, he was virtually indispensable in the presence of an exceedingly critical situation in Europe. Napoleon's latest victories at Marengo and Hohenlinden had confirmed his unchallengeable military power in Europe. Only Turkey and Naples and Portugal remained in alliance with the English Government, and a new threat to the supremacy of the British fleet had appeared in the armed neutrality of Russia, Sweden, Denmark and Prussia. The merest suggestion of Pitt's resignation at such a crisis was certain

to create consternation. There was no statesman capable of commanding confidence to take his place. There was none who could conceivably hope to govern without Pitt's support.

Had Pitt felt really deeply on the question of Catholic emancipation, there is not the slightest doubt that he could have overridden the opposition of the King. His resignation had become inevitable since the King adopted the attitude he had been encouraged by Lord Loughborough and the anti-Catholics to assume. But Pitt could have returned in triumph within a few months if he had thrown his weight against his successor. Actually, however, when the King's obstinacy compelled him to retire, he resigned with infinite reluctance. He had underrated the strength of the Protestant opposition to his own intentions, and he saw too late that, if he overthrew his successor by insisting upon Catholic emancipation, his own political influence would be undermined. Besides, he cared nothing for the Irish Catholics, and his whole being was wrapped up in the contest against Napoleon. He lived only for personal power. He was aware of the immense issues which were involved in the peace negotiations that were about to open. He knew that, without his directing hand, the fortunes of his own country were certain to suffer seriously. Realising too late that he had overreached himself, he now hesitated even after he had delivered his ultimatum to the King. But to turn back was impossible. Chance gave him almost immediately a pretext for climbing down. His resignation had brought on a new mental derangement in the King, which was attributed by him directly to Pitt's provocative behaviour. Feigning a remorse which he was far from feeling, Pitt seized the opportunity to express his deep regret; and having resigned in February, he announced to his sovereign in March that he was willing at any moment to resume office.

By that time, however, the Speaker, Addington, had already completed his arrangements for forming a new Ministry, having been assured from the outset of Pitt's entirely sympathetic support. Neither Addington nor the King saw

any necessity to undo what had been done, and Pitt could now do no more than await events while a definitely anti-Catholic Ministry assumed office, under Addington, in which the majority of Pitt's colleagues, on his own advice, remained at their former posts. At the same time he gave a definite promise to the King that he would never again attempt to raise the Catholic question himself during the existing reign.

The plain truth was that Pitt, although platonically sympathetic to the Catholics, was devoid of any personal interest in their fortunes except in so far as he felt their appeasement to be necessary for the conduct of the war. They had served his purpose by refraining from an alliance with the opponents of the Act of Union. It was not his fault, but the King's, that they were being cheated of the just concessions which had been offered in return for their support. He washed his hands of all further responsibility towards them without remorse. That an English Prime Minister, at a moment of great national danger, should resign office in order to fulfil a promise to the Irish Catholics must have seemed a ludicrous and almost a flippant suggestion to any English politician at the time. Pitt, however, knew how to extract the utmost credit out of the unexpected disaster that had overtaken him. The Catholics in Ireland were solemnly assured that he had resigned solely out of affection and sympathy for them. In Ireland, Cornwallis, in his honest innocence, was daily awaiting news that Catholic emancipation would be introduced, when the first overwhelming blow was delivered, as gently as possible, in a letter to him jointly concocted by Pitt and Castlereagh. Only some days before, Cornwallis had been writing in serene confidence to point out how tranquil the country was in its belief that Catholic emancipation would now follow at once. " Nobody would have believed three years ago," he wrote naïvely, " that Union, Catholic emancipation, and the restoration of perfect tranquillity could have taken place in so short a time."

He was to be awakened rudely from these happy dreams

of a triumphant Viceroyalty by the first sentences of a letter from Lord Castlereagh, whom he had sent to London to encourage the Government there to lose no time in completing a programme which had been so auspiciously begun. The King's conscientious objections, Castlereagh explained, had presented a wholly insurmountable obstacle. The House of Lords was no less determined in opposition. Pitt, as the friend of the Catholics, had consequently resigned, and the Lord-Lieutenant was requested to impress this touching version of a cynical story upon the long-suffering Catholics. Cornwallis was to let them know by every possible means that " the attachment of Pitt and his friends to the question was such that they felt it impossible to continue in administration under the impossibility of proposing it with the necessary concurrence, and that they retired from the King's service, considering this line of conduct most likely to contribute to the ultimate success of the measure."

Cornwallis, with bitter reluctance, consented to do his best. But he replied that nothing would induce him to " linger for any length of time in office under the administration of men who have come into power for the sole purpose of defeating a measure which he considered to be absolutely necessary for the preservation of the Empire." As for Cooke, the Under-Secretary in Dublin Castle, who had actually written the official pamphlet that promised emancipation to the Catholics if they would support the Union, he also could scarcely believe what had happened to destroy the plans that had been so carefully and elaborately prepared. He appears to have had early misgivings about Pitt's sincerity, for he writes : " If Pitt does not so act as to make it demonstrative that he is really serious on the Catholic question, his resignation will be attributed to other causes." But Cooke refused to abandon hope. " To suppose," he wrote, " that men who at such a crisis had given up their situations upon a principle of honour, because they could not bring forward the measures they thought necessary for the preservation of the Empire—I say to suppose that they

could again go back as ministers without those measures being conceded, is absurd. It is supposing them destitute of sense, principle, integrity, honour and even self-interest. I think all must come right. . . . The superiority of Mr. Pitt is so strongly felt that no ministry will like to act without him. You can hardly form an idea how the public mind had come round to allow of concessions to the Catholics."

Mr. Cooke, indeed, still had much to learn of the ways of politicians. He would never have believed that, within one month from resigning office, the high-principled Pitt had offered to assume it again at any moment on the condition of repudiating the Catholic claims. He did not even see that Addington was merely a shadowy figurehead, dependent entirely upon Pitt as the power behind the scenes, and that Pitt himself had done everything possible to induce his own former colleagues to take office under Addington. Even the Catholics in Ireland, who should have been rid of all illusions by this time, were for a brief period misled by the specious explanations that Pitt had chivalrously resigned rather than desert their cause. Cornwallis, an honest and hard-working man who was genuinely anxious to promote peace, only intensified and prolonged their false assurance by making a wholly unauthorised pronouncement which expressed his own personal views. He not only impressed upon the Catholics that Pitt and his friends had " sacrificed their own situations in their cause," but boldly asserted that " the Catholics should be sensible of the benefit they possess by having so many characters of eminence pledged not to embark in the service of Government except on the terms of the Catholic privileges being obtained." Being addressed in these unequivocal terms by a Lord-Lieutenant with whom they had been negotiating on intimate terms, the Catholic leaders might well be excused for believing that what he said was true. But, before long, Cornwallis himself had to acknowledge that no single member of the Government had authorised him to say that he was pledged to refuse office until the Catholic claims were conceded.

Pitt's resignation and retirement from office for several years was thus represented as being a confession of his own impotence, in face of the King's opposition, to carry out his promise of emancipating the Catholics ; and in the following years no further steps were taken to bring the question any nearer to its solution. In Ireland the disappearance of the Parliament in Dublin had removed all hope of effecting a change by pressure upon the Irish landlords ; and the failure of Robert Emmet's rising in 1803 only intensified the despair which had settled upon the country after the collapse of the rebellion of 1798, and the ruthless measures of coercion that followed it. Henceforward it was in London that the question must be decided. The Addington Ministry had been brought into existence chiefly to prevent Pitt from pursuing his plans for granting relief to the Catholics. Foreign affairs absorbed almost all the energies of the Government, and after three years of office the imminent danger of a new thrust by Napoleon brought down the Ministry, and Pitt was summoned back to power to preside once more over the conduct of the war.

Pitt's return to office in 1804 was naturally treated as the signal for a renewed effort on behalf of the Catholics. But while the Irish Catholic notabilities lost no time in presenting a petition, nothing was done in England. The Irish petition, signed by six peers, three baronets and eighty-nine gentlemen of note, recited their grievances and disabilities in regard to the corporations, the higher ranks of the army and navy and the law, and urged particularly the injustice of withholding the right to sit in Parliament after the right to elect representatives in Parliament had been granted. The petition, reflecting primarily the views and interests of the nobility and gentry, was couched in very different terms to those which O'Connell was to adopt some ten years later ; but its fate was the first object-lesson to the Irish Catholics in the futility of presenting obsequious requests in London after the Act of Union. When the document was complete, it was brought by an influential deputation to Pitt, as the

new Prime Minister, with a polite request that he should renew his former efforts to secure the concession of their rights to the Catholic body. But they had much to learn. Pitt, who had privately promised the King, on assuming office, that he would not introduce any measure of relief to the Catholics which would outrage His Majesty's tender conscience on the subject, met the Irish deputation with a flat refusal. He went further in announcing at once that, if the petition were presented by some other statesman, he would feel compelled to oppose it. There was, of course, no difficulty in finding distinguished men who would present it; but the shock which they received made the Catholic delegates realise how little faith could be placed on political promises that were not extracted under the compulsion of immediate fear.

Fox, as Pitt's principal rival, gladly introduced the petition in the House of Commons, and was able to taunt the Prime Minister with having betrayed his own promises on the only important matter on which both men had been agreed in the past. Lord Grenville, one of the most staunch friends of the Catholic cause, agreed to introduce it in the House of Lords. Counter petitions from the Protestants of London and of Oxford University were presented at the same time, and in the same week in May the Commons rejected the Catholic petition by 336 votes to 124, and the Lords by 178 to 49. The old arguments were used again and again on both sides, and for the Catholics Grattan and Fox made extremely eloquent orations. Outside Parliament the indefatigable Bishop Milner helped on the cause by a characteristic pamphlet in which he dealt with the chief objections commonly urged against the Catholics. In a series of quotations from recent Protestant utterances he revealed the extent of anti-Catholic prejudice at the time, and he answered each accusation in turn. Among the most commonly quoted objections may be mentioned the complaint that Papists could not be good subjects under a Protestant King because they believed salvation to be impossible

outside the Church ; that they held it to be unnecessary to keep faith with heretics ; that Popery had always brought with it a disturbance of the peace ; that the Irish Catholics had organised the rebellion of 1798 ; that they were obliged to persecute heretics ; that allegiance to Pope and to King were incompatible with one another ; that the Pope had committed sacrilege in crowning Napoleon ; and many other similar allegations. Such were the prejudices which prevailed overwhelmingly in both Houses of Parliament, where all the magnificent eloquence of Fox and Grattan, and the generous appeals of enlightened men like Sir John Coxe Hippisley or Lord Grenville failed to make the smallest impression.

The ignominious failure of this first petition gradually turned the minds of the Catholic leaders in Ireland to different and more direct methods of agitation. But the patience of the English Catholics was apparently inexhaustible. Sir John Throckmorton, answering in a pamphlet in 1806 the question why the English Catholics had not joined in the Irish petition, explains that their position was so different that " the same words would not have described our cases." Many more statutes, he admitted, were actually still in force against the English than against the Irish Catholics, " and yet our relative situation is far preferable to theirs. . . . But our condition, let me say, is far from enviable ; and as gentlemen on a late public occasion were profuse in their praise of our irreproachable behaviour, our loyalty and our patriotism, it cannot be long before, by an English petition, we shall be happy to prove the sincerity of their professions." The difference of outlook between the two bodies of Catholics could not be more clearly expressed. To the Irish Catholics a petition was a method of demanding redress of acute and immediate wrongs ; to Sir John Throckmorton it was rather an opportunity for demonstrating " our irreproachable behaviour, our loyalty and our patriotism."

But events were moving so rapidly in Europe that the whole basis of governments was being undermined. Six

months before the Catholic petition was presented, Napoleon had been solemnly crowned as Emperor of the French by the Pope, who had travelled to Paris to perform the coronation. When the petition was presented, the fear of a possible French invasion was a constantly menacing anxiety, which was not dispelled till the Battle of Trafalgar in the autumn of the same year. But the rejoicings over Trafalgar were within a month overwhelmed by the news of Napoleon's greatest victory at Austerlitz, which came upon Pitt as such a staggering blow that he died before the end of January. Under such circumstances it was hopeless to expect any attention to the Catholic claims, even when Lord Grenville succeeded Pitt as Prime Minister, with a " Ministry of all the talents " which included Fox ; so that both the proposers of the Catholic petition of May 1805 were in office by the following February. But Fox's brilliant career was already near its early close, and by September he had followed his chief antagonist to the grave.

There was one aspect of the Catholic question which gradually became urgent and insistent even as a war measure, and Lord Grenville's Cabinet decided in the February of 1807 to introduce two measures designed respectively to enable Catholics to hold commissions in the army, and to secure to Catholics serving in the army the free exercise of their religion. The absurdity of placing restrictions upon Catholics of high social position who wished to serve in the army as officers in a period of acute war crisis, was so evident that the Government could scarcely have failed to carry the House of Commons if the King had not intervened. He had provisionally given permission for the first reading of the two Bills, but they were scarcely introduced when his fiercely anti-Catholic prejudices flared up again. He vetoed the Bills, sent for Lord Grenville and demanded a promise that he would never again introduce any measure of Catholic relief. Grenville, to his honour, refused to give such a promise, and resigned his office. The King forthwith invited the Duke of Portland to succeed him as Prime Minister. He

accepted and dissolved Parliament at once, and in the elections which followed, the " No Popery " cry, which the King had conscientiously raised, once more swept the country and returned a Parliament with a decisive majority against any concession to the Catholics.

But the particular question which Grenville had tried to solve as a war necessity still remained. The prevention of Catholic gentlemen from becoming officers in the army or navy was a small matter ; but the treatment of the Catholic soldiers who had come to form a very large part of the regular army was a question of extreme importance in so far as it involved their discipline and loyalty. In the army and navy the proportion of Irish Catholics in the ranks had become increasingly large. The population of Ireland had been growing very fast since the relaxation of the penal laws ; and whereas England required a very large population to maintain and develop her industries, the Irish population generally could find no alternative to life upon small and desperately overcrowded farms, from which the farmers' and labourers' sons were glad to escape into military service. It had been brought to the attention of the Government on many occasions that this very large Irish element in the army and navy was liable to become thoroughly discontented at the refusal of provision for their religious needs. And, in fact, their grievance was more serious than most people realised.

Under the Relief Act of 1793, passed by the Irish Parliament, the restrictions upon Catholic service in the army and navy had been entirely repealed, apart from a few reservations in the higher commands. Bishop Milner had emphasised this very forcibly in his pamphlet in aid of the Catholic petition in 1805. Ireland, he had pointed out, is " the grand resource for recruiting our regular regiments, as well as our navy," and the laws against Catholic service had been repealed for twelve years. " In consequence of this," he went on, " thousands, and indeed hundreds of thousands of Irish Catholics have been enlisted there under

the idea and under the positive assurances of those whom they considered as the representatives of the Government, that they were to be left at full liberty to practise their own religion, and that no conformity with any other would be required of them. But no sooner are these poor men shipped off to England or some of its dependencies, according to the general practice of the War Office (and frequently, I am told, even before they leave Ireland), than they find themselves precluded from the exercise of their own worship, and forced under pain of the severest punishment to attend another in opposition to their conscientious feelings." Not all commanding officers, it was true, insisted upon these regulations ; but there had been extreme and flagrant instances of insult to the feelings of the Catholic troops. " I remember," said Milner, " an instance of a regiment consisting chiefly of Catholic soldiers being permitted and required here in England to attend their chapel until they received their new clothes and arms. This being done, they were assembled on parade, and a letter was read to them purporting that they were ordered by the Commander-in-Chief henceforward to attend the service of the Church ; just as if grown men could at once divest themselves of their earliest and dearest sentiments, and change their religion as easily as they change their clothes." But on this matter, as on most questions affecting the Catholic claims, the King's veto prevented any redress from being granted for years. It was not only the soldiers in the ranks who suffered indignity and insult. Not until the year 1817, when—largely owing to the Duke of Norfolk of the time, who had conformed to the Protestant Church—an Act was passed to enable Catholics to hold the higher ranks in the army and navy, could Catholic officers count even upon promotion for their gallantry in action.

The Irish Catholics had learnt a bitter lesson through the betrayal of the promises which had been made to them in connection with the Act of Union. But it took years before they fully realised how far their prospects of emancipation

had receded through the abolition of the Irish Parliament. They were no longer an overwhelming majority, able to exert an always increasing pressure in all manner of ways upon a Parliament of Irish landlords sitting in Dublin. They were now no more than a despised fraction of the electorate of the United Kingdom, and neither professions of loyalty nor the actual proof of loyalty by years of military or naval service during the long war with France were of any avail whatever in supporting their claims to justice. But the agitation for Catholic emancipation was now to pass entirely out of their hands, and to be directed henceforward by the very small but influential Committee of the English Catholic aristocracy, who viewed the whole question in a very different light. By them the bishops were regarded with scarcely less distrust than the Government itself. Taking the law into their own hands, the Catholic aristocracy in England proceeded to negotiate through the following years with the Government to obtain legislation which would impose certain restrictions upon the authority of the Church, and would at the same time give to the lay aristocracy in England—who had for generations kept Catholicism precariously alive in the country—a very definite control over the hierarchy, as well as over the clergy who had for so long been directly dependent upon their generosity and their loyalty to the Church.

CHAPTER XII

THE VETO PROPOSALS

So much of the later estrangement between the Irish and the English Catholics turned upon the controversy which arose over the proposal for a veto by the Government over the appointment of Catholic bishops, that it is necessary to discuss the question in some detail. It is complicated by the fact that the Irish bishops, and especially Bishop Milner, who acted as their agent in England, did at first undoubtedly express their approval up to a certain point for the proposal, on the understanding that the supreme authority of the Pope would not be challenged. Later the Irish Bishops adopted a thoroughly hostile attitude on the matter; and Milner, who veered round completely on the question, threw all his energy and eloquence into the campaign to discredit everyone who had even considered the proposal on its merits.

The problem arose first as a result of the Government grant in aid of Maynooth College, when it was established in 1795. The decision to subsidise a Catholic college at that time created a bewildering impression; and the Government who made the grant were as apprehensive of the results of their own revolutionary decision as the Irish hierarchy were suspicious of the conditions that must be expected to follow from such relations with the Government. At the very outset the Government did put forward the suggestion that, since it was now subsidising Maynooth, it should be given a voice in the nomination of the bishops who were the trustees of the college, and perhaps also in the selection of the President himself. Archbishop Troy was formally requested to ascertain the feeling of the bishops, and a questionnaire was accordingly sent out to each of them.

The two principal questions were: whether the Government could be allowed to appoint the President or professors at Maynooth? And how would they answer the proposal that the bishops should be nominated by the King?

A meeting of eighteen bishops, including the four archbishops, was held in Dublin to consider the problem; and they answered the two questions very definitely. In regard to appointments at Maynooth, they decided that no interference could be admitted, and in regard to the King's appointment of bishops, they decided that the proposal must be absolutely resisted from the start. But while the attitude of the Irish bishops was thus clearly stated in 1795, there was still an obvious necessity for further negotiation. Acceptance of the Maynooth Grant, and the protection given by the British Government to the Irish College in Paris during the Revolution, had established direct relations between the Government and the Church in Ireland, which could not fail to involve some right of mutual consultation. And in May 1797 further discussions on the matter took place in Dublin between Archbishop Troy and the Chief Secretary, Mr. Pelham, who revived both the questions that had been answered with so vigorous a negative two years before. The British Government had apparently made up its mind that, if it undertook a certain measure of financial aid to the Irish hierarchy, it could hope to obtain a direct influence upon the appointment of Catholic bishops. The idea was, in theory, utterly unreasonable; and Edmund Burke had long before denounced with eloquent common sense any suggestion that Protestants or Catholics should interfere with the government of a church to which they did not belong. But by the practice of the period there was nothing impossible in what the Government hoped to achieve. At the end of the eighteenth century, when the powers of every monarchy were still vastly greater and more extensive than the modern world can readily appreciate, the appointment of bishops by Catholic sovereigns was regarded almost as an unquestioned right. This power persisted, indeed, in

the case of Austria until the collapse of the Hapsburg dynasty in 1918; and even in the German Empire the ex-Kaiser retained a considerable voice in such appointments. It was, in fact, only during the nineteenth century that the complete freedom of the Pope in the nomination of bishops was effectively secured. And in Pitt's time there was good reason to believe that even a Protestant King in England could, in return for certain concessions and active assistance, expect to receive the same negative power of veto over the appointment of bishops which other non-Catholic sovereigns already enjoyed.

In fact, from the time of the Maynooth Grant onwards, the Government did actually exercise a considerable influence over the choice of new bishops in Ireland. Dr. Hussey's appointment to the See of Waterford was not unconnected with the approval of the Government, and in later years—even when the agitation against granting the veto was at its height—the Government continued to exercise an increasing influence in the matter. The most conspicuous instance was the appointment of Dr. Curtis as Archbishop of Armagh and Primate of all Ireland, at the direct instigation of the Duke of Wellington, who had met him and formed a high regard for him when he had been President of the Irish College of Salamanca during the Peninsular campaign. Wellington's intervention on behalf of Dr. Curtis, however, was neither contrary to the wishes of the hierarchy, who had concurred in asking for his nomination, nor serviceable to the Government in the long run.

At any rate, Pitt was determined to assert the claim of the British Government to exercise such influence, and he regarded the concession of such claims as a "security" which he could offer to overcome the prejudice of Protestants who opposed any measure of Catholic relief. Archbishop Troy, therefore, was approached once again in 1797 with an official inquiry by Chief Secretary Pelham as to whether the Pope could not give the nomination of Catholic bishops to the King, if the State were to make provision for the bishops

and the clergy. Dr. Troy, in describing the interview in a letter to Dr. Plunkett, Bishop of Meath, explained that he had declared this to be financially impossible; and, even apart from the very great expense it must involve, he "deprecated the measure as impolitic and inexpedient." "It is my firm belief," he wrote anxiously to Dr. Plunkett, "that if ever this measure be adopted, it will be followed with the decline, and perhaps the final destruction, of our religion in this country. God grant that it is not proposed with this very intention." The Archbishop was clearly no friend to the proposal, and he told Dr. Plunkett what he had refrained from saying to Pelham, that "the most convivial, intriguing, and forward among our clergy" would be more successful in their applications to the Government for preferment than "the meritorious, the humble and unassuming."

Throughout the protracted controversy on the veto this attitude expressed in Archbishop Troy's letter governed the ideas of the Irish bishops, and, indeed, of the whole Catholic body in Ireland, who detested any suggestion that the clergy, whose sacred character they had venerated and upheld with such fidelity, should become in any way associated with the Protestant Government. But events before long forced the bishops into an extremely difficult position. Pitt and Castlereagh were both supporters of the Catholic claims, and both agreed upon the possibility of securing some influence over the Church at the same time as the suppression of the Irish Parliament, in return for Catholic emancipation; and they quickly seized the opportunity of embarrassing the Irish bishops that arose in the rebellion of 1798. In December, after the rebellion had been ruthlessly repressed, Lord Castlereagh accordingly communicated with Dr. Troy and gave him to understand officially "that the guilty conduct of some of our priests, secular and regular, in the recently suppressed rebellion had brought suspicion on our clergy, and therefore the King, our Sovereign, desired to be assured in future of the loyalty of the bishops and priests." In order to attach them more closely to his

Government, Dr. Troy explained, in reporting this interview to Cardinal Borgia, the Prefect of Propaganda, the Government now renewed the insidious proposal of " giving each one a suitable annual stipend to be paid from the public treasury, and so relieve the clergy from its present abject dependence on the people." In that case, Lord Castlereagh had explained, " it would be eminently suitable that His Majesty would have the privilege, as in Canada, of presenting to the Pope subjects whom he deems suitable to be bishops."

So the astute plot of Pitt and Castlereagh had in due time matured further ; and Dr. Troy, who had simply rejected the idea with polite firmness at first, was now forced into a situation where his attitude must be modified. To Castlereagh he made all the objections he could think of. He was suavely informed that " the Government had no intention of attacking the jurisdiction of the Pope recognised by Catholics, but only to come to an agreement with him concerning its exercise." Finally, Dr. Troy took refuge in the necessity of consulting the other bishops. Their disapproval of the proposal was already well known ; but like Dr. Troy, they also realised that they had been out-manœuvred. If they refused to yield, they would be regarded with suspicion by the Government. So, after protesting unanimously against any condition which would injure the authority of the Pope or their own rights, they deferred decision until the meeting in Dublin, in January 1799, of the bishops who were trustees of Maynooth.

Ten of the Irish bishops thus met, in their capacity as trustees of Maynooth College, and proceeded to deliberate on " a proposal from Government of an independent provision for the Roman Catholic clergy of Ireland, under certain regulations not compatible with their doctrines, discipline or just influence." After three days of deliberation under these delicate circumstances, the ten bishops passed a series of resolutions which certainly committed them to a position from which the Irish hierarchy as a whole

retreated afterwards. They declared in the first place—in flat contradiction of what Archbishop Troy had urged two years before—that " a provision through Government for the Roman Catholic clergy of this kingdom, competent and secured, ought to be thankfully accepted " ; and next that " in the appointment of the Prelates of the Roman Catholic religion to vacant sees within the kingdom, such interference of Government as may enable it to be satisfied of the loyalty of the person is just, and ought to be agreed to."

The ten bishops then proceeded to lay down certain conditions which they declared to " seem necessary to give this principle its full operation without infringing the discipline of the Roman Catholic Church or diminishing the religious influence which prelates of that Church ought justly to possess over their respective flocks." These conditions may be briefly summarised : (1) that for any vacant see the clergy of the diocese should, as hitherto, recommend one or more candidates to be elected by the votes of the bishops within the province ; (2) a Metropolitan to be chosen either by agreement among the provincial prelates, or in case of their disagreement, by election by the surviving Metropolitans ; (3) a majority of votes in these elections must include more than half of the electors ; (4) the candidates so chosen shall be presented to the Government, which within one month shall either object or express agreement ; (5) if the Government has any proper objection against such candidates, the electors must choose another candidate. Finally, the bishops safeguarded themselves by declaring that " agreeably to the discipline of the Roman Catholic Church these regulations can have no effect without the sanction of the Holy See ; which sanction the Roman Catholic prelates of this kingdom shall, as soon as may be, use their endeavours to procure." They added in conclusion the startling admission that " the prelates are satisfied that the nomination of the parish priests, with a certificate of their having taken the Oath of Allegiance, be certified to

Government." And nine days later they passed a further resolution appointing Archbishops O'Reilly and Troy and Bishop Plunkett to " transact all business with Government relative to the said proposal, under the substance of the regulations agreed on and subscribed by them."

Fortunately these highly compromising resolutions were not only unauthorised by the whole hierarchy—although they were signed by the four Metropolitan Archbishops—but were kept a secret for ten years. Lord Castlereagh might, indeed, feel that he had triumphed by his dexterous combination of suavity and disguised threats of the King's displeasure. The ten bishops, who included not only the four Metropolitans, but so staunch an opponent of Government interference as Bishop Moylan, of Cork, had accepted almost everything that had been asked of them : the payment of bishops and clergy by the Government, which must convert them into salaried dependents ; the veto of the Government upon any candidate for a bishopric ; and even the acceptance of a licence and an Oath of Allegiance for every parish priest in the country. It was well, indeed, for the prestige of the hierarchy in Ireland that these resolutions were not published until years afterwards ; and still more that Lord Castlereagh's diplomatic triumph was providentially turned to nought by the King's flat refusal to grant any relief to the Catholics, even upon such terms.

Years afterwards O'Connell's son, in editing his father's speeches, was to allude to these " resolves of a terrified little coterie of Irish prelates in 1799." And Bishop Milner, who had himself written much in justification of the veto almost on principle and without regarding it (as the Irish bishops did) as a concession to necessity, was to give a pathetic picture in retrospect of the conditions which had led the Irish bishops to accept what they afterwards opposed so vehemently. " In January 1799," wrote Milner in the light of after events, " (a period when Orangemen and soldiers were demolishing chapels and torturing Catholic peasants on one hand, and the Ministry was employing

every artifice to induce the Catholics as well as the other inhabitants of Ireland to agree to the proposed legislative union on the other) ten Catholic bishops, being in Dublin upon other business, were so beset and plied by an able politician and orator, Lord Castlereagh, then Secretary to the Lord-Lieutenant, that the Primate himself has told the writer, they were really led to believe that the Church upon this event's taking place, would not only be protected and honoured, but also that it would in a sort of subordinate way become the established Church of Ireland."

That the Irish bishops did commit themselves to approval of the Government's demand for a veto upon candidates whom they might object to, is beyond all question. But they did so under the strongest pressure at a time when the Catholics were experiencing actual persecution and organised violence, and also on the clear understanding that their own concessions were to be made in exchange for a full measure of Catholic emancipation which Pitt and Castlereagh had both promised to introduce. When Pitt and Castlereagh failed to carry out their own promises, the Irish bishops could feel with relief that they were no longer bound by the concessions to which they had consented. But Milner's account of their having given their consent practically under duress does not agree with the evidence from other sources. Castlereagh's protestation that the bishops with whom he had so successfully negotiated had not been terrified, and that he " never perceived the slightest repugnance on their part to the measure," may be discounted as special pleading. But Milner himself was quite definitely friendly to the concession of a negative veto until he had been violently converted to the opposite standpoint by an outburst of popular resentment in Ireland. His own view—which from the point of view of an English Catholic, accustomed to fair dealing from the Government of his own time, was quite reasonable—was that the relations with the Government of any candidate for the episcopate must be taken into account in recommending names to Rome. So late as November

1808 he wrote in a long communication to the *Morning Chronicle*: "Were I a Catholic bishop or Metropolitan of Ireland, and were I deliberating about the merits of a certain candidate for episcopacy; as I would take information from his fellow-students concerning his talents and learning, from his fellow-clergymen concerning his orthodoxy, from his parishioners concerning his morals, so I should have no difficulty of referring the question concerning his loyalty and civil principles to the King's representative." His personal opinion—which was very much that of the other English bishops, and to a great extent that of the Irish bishops also—was simply that "we cannot allow Ministry to choose our bishops, but we will choose none whom they object to." And he limited this negative right of interference by insisting that the Government must not be allowed to rule out more than three candidates, and that only one name must be considered at any time.

In 1805, when the question was raised in a practical form by the Catholic petition to the House of Commons, Bishop Milner consulted Rome on the matter directly. He received a definite answer, dated 7th September 1805, which left certain points beyond all doubt. Rome declared emphatically against any proposal of paying State salaries to bishops (although the Irish bishops had provisionally agreed to this in 1799); asserted that no Protestant sovereign could be allowed the power of nominating Catholic bishops; and, while admitting that the negative power of objecting to candidates for the episcopacy was less difficult, insisted that any such negative power which might conceivably be granted must be effectively restrained from growing into a positive power.

Fortified with this formal explanation from Rome, Milner, who had become the recognised agent of the Irish hierarchy in 1807, took part in the negotiations on the subject in 1808 with a firm conviction that the limited veto was admissible. He had no conception of how profoundly feeling in Ireland had changed on the subject since the ten trustees of May-

nooth had made such sweeping concessions to Pitt, on the eve of the Act of Union when Catholic emancipation was still believed to be in sight. Two factors particularly had altered the whole situation. In the first place, Pitt's failure to carry emancipation, and still more his open opposition to the Catholic petition when he became Prime Minister again in 1804, had aroused fierce resentment in Ireland, where he was held to have unscrupulously abolished the Irish Parliament after giving promises to the Catholics that he never intended to carry out. Secondly, this growth of anti-English feeling created a strong prejudice against the negotiations which were being conducted by the English Catholic aristocracy under conditions that suggested a lack of respect for the sacred character of the bishops. More than anyone else, Sir John Throckmorton, a leading figure in the Cisalpine Club, had scandalised the Irish Catholics by his disrespectful attitude towards the hierarchy and by the reckless promises he had made. In a pamphlet written in 1807 he had even made the amazing statement that " without attempting the absurd expedient of suppressing the hierarchy in an episcopal church, Government has only to signify that it is their wish that the King in future shall have the nomination of the Catholic bishops. This will be conceded." The Irish Catholics might well feel apprehensive at the thought that the Catholic negotiations, with a Government over which they now had vastly less influence than they had had even under the Irish Protestant Parliament, were in the hands of English aristocrats who made such assertions with every appearance of authority. So, when Milner, acting officially on behalf of the Irish bishops, informed Mr. Ponsonby in May 1808 that the Catholic prelates of Ireland were willing to give a direct negative to His Majesty's Government with regard to the nomination of their bishoprics, the elements of a furious controversy were already actively at work.

In May, the English aristocrats had constituted a new association under the name of the Catholic Board, a few

days before the debate on Grattan's motion for Catholic Relief, which was to start the whole controversy on the floor of the House of Commons. Grattan, in a carefully prepared speech, presented several petitions on behalf of the Irish Catholics, and then committed himself to the support of the veto proposals, which he expounded to the House for the first time. Insisting that the Pope was at the time virtually subject to Napoleon, he argued that many Catholics, in the army and navy especially, were exposed to seditious influences if the King did not obtain at least a negative voice in the appointment of the Catholic bishops. Ponsonby followed in the debate with a speech which provoked endless controversy. He explained the method of selecting bishops to which he asserted that the Irish bishops had agreed, and declared that this method would " give the real and effectual nomination to the Crown." Asked as to his authority for what he said, Ponsonby stated openly that Milner was his authority, and that Milner was " authorised by the Catholic bishops of Ireland to make the proposition in case the measure of Catholic emancipation should be acceded to." Milner was present throughout the debate, with many other Catholic spectators, and he accused Ponsonby of having even stated that the Catholics " would not have any objection to make the King virtually the head of their Church, and that although even appointed by the Pope, a Catholic bishop, if disapproved of by His Majesty, should not be allowed to act, or take upon himself his spiritual functions." When challenged on the matter afterwards, Ponsonby acknowledged that he had developed his own conclusions from what Milner had admitted ; and the subsequent explanation issued by Milner in a " Protest " did, in fact, go to lengths which he very soon repudiated himself.

But within a few months Milner had become completely converted to entire opposition to any sort of direct State interference. And in justice to his memory it should be noted that he had been prepared to admit the right of veto

only upon the following strict conditions : that it must not be exercised more than three times ; that only one candidate's name should be submitted each time ; and that the civil power should restrict its interference only to " a case of loyalty and the public peace." Even so, Milner had already learned privately of the intense distrust of the veto proposals in Ireland. He took the greatest care to prevent the publication of his own agreement to accept even such limited concessions ; and when a copy of his confidential memorandum fell into the hands of his enemies, who published it, he decided at once that explanation was useless and he publicly retracted what he had thus proposed in strict secrecy.

Grattan's motion was of course lost, by 281 votes to 128 ; and a similar motion by Lord Grenville in the Lords on the following day was outvoted in the same proportion by 161 to 74. The Irish bishops meanwhile lost no time in issuing a public repudiation of Ponsonby's statement ; and at their general meeting in Dublin in September, the Irish hierarchy shut the door against all such proposals by passing two resolutions, declaring their decided opinion that " it is inexpedient to introduce any alteration in the canonical mode, hitherto observed in the nomination of Roman Catholic bishops " ; and also that they pledged themselves to adhere to their constant rule " to recommend to his Holiness only such persons, as candidates for vacant bishoprics, as are of unimpeachable loyalty and peaceable conduct." This was the first general meeting of the Irish bishops to consider the matter, and the ten bishops who had negotiated with Pitt and Castlereagh ten years before now joined with the rest in repudiating the proposals. But Milner certainly had had ample ground for believing that he had their confidence when he entered upon the negotiations with Ponsonby. Archbishop Troy had written to him from Dublin on 28th May that, " Your Lordship needs no further orders or instructions from hence " ; and five days later he wrote explicitly, " Rest perfectly satisfied that the Veto will be sanctioned by our Prelates " ; and two days later again Archbishop Dillon,

of Tuam, wrote: "I hasten to approve of your manner of acting in your conference with Messrs. Grattan and Ponsonby on the appointment of our bishops."

But the bishops, as events soon showed, had been willing to agree to what the people and the clergy in Ireland, with their deep-rooted distrust of English politicians and Governments, would never have accepted. Some of them, indeed, objected to the veto on principle as strongly as did Bishop Gibson in England; and Milner became the target for indignant criticism. Bishop Coppinger, of Cloyne, wrote to him complaining in such vigorous language that Milner in his reply, which he circulated to the bishops of both countries, concluded by offering to resign his position as their agent. When he found how excited feeling had become against him in Ireland, he decided to go there once again and discuss matters in person. Dr. Moylan, the veteran Bishop of Cork, who had been one of the ten bishops who negotiated with Pitt in 1799, had invited him for the opening of the new Pro-Cathedral, and Milner went there to meet various other Bishops who had assembled. He travelled some days later to Limerick and Dublin; and O'Connell, who was by now beginning to make his reputation as a Catholic leader, referred to his tour in a speech as a "veto-istical mission," and claimed that the Irish people "rejected the mission and the missionary." A few weeks later, on 14th September, the Irish bishops met in Dublin and passed the resolutions which not only repudiated Milner's veto proposals, but virtually contradicted what he had been told by some of their leading members.

But popular resentment had by this time reached a fever of excitement: "They revenged themselves on me," wrote Milner, "though only a subordinate minister in the business, by torrents of abuse, which they continued to pour out against me . . . and at length by impeaching me in their Parliament of Pimlico as a 'hired emissary of the Minister,' and by sentencing me to be hanged and burnt in effigy." The sentence was duly carried out by an angry mob in a

large open space in Dublin. Milner returned a few days later to England, still enjoying the confidence of the Irish bishops, but "without any other advantage than that of becoming better acquainted with Ireland both on the fair and the foul side than I was before." Henceforward he was to be so relentless an opponent of the veto in any form that he would never admit that he had ever approved of it in principle.

CHAPTER XIII

THE ENGLISH CATHOLIC BOARD

The English Catholics had given a pledge in January 1808 that they would adopt no measure affecting the general interests of the two bodies of Catholics without the concurrence of their Irish brethren. The resolutions of the Irish hierarchy in September ought, therefore, to have left the position in regard to the veto quite secure. But the activities of the recently formed Catholic Board in England before long produced new proposals from various quarters. A scheme was put forward during the following year by Sir John Coxe Hippisley, which gave rise to feverish apprehensions in Ireland, the extent of which may be gathered from a letter of Archbishop Troy's to Mr. Jerningham, the chairman of the Catholic Board, at the beginning of February 1810. "You will have observed from the Dublin prints," wrote the Archbishop, "how generally the veto measure is reprobated. The opposition to it is so great that were I or any of our Prelates to advocate it, we would be considered as apostates from our faith, and forfeit whatever influence we have over our respective flocks, or submit to be deprecated by society at large and by the Protestant Church establishment itself."

But while feeling had become thus inflamed in Ireland, the Catholic Board in England was arranging busily for a general meeting of the English Catholics. Various negotiations had taken place with important politicians, and the English Catholic leaders had become convinced that the principal necessity of the time was that some general declaration should be made to satisfy public opinion that the Catholics were willing to give what Earl Grey described as "some pledge which should not be repugnant to the

principles of their religion, respecting the loyalty of those who should be appointed to the Prelacy." It was agreed at a preliminary conference of the leaders to make a declaration " which should express that the Catholics were ready to do on their part those things which, while they were conformable to their religion, might at the same time give mutual satisfaction and security to Government and the Catholics." A resolution was accordingly formulated to be submitted to the meeting on 1st February 1809. Milner, who had by this time become vehemently opposed to the veto, and who was naturally sensitive to any suggestion which might cause further offence to the Irish, who were already furiously angry and suspicious of the English Catholics, arrived in London on the day before the meeting was to take place. A private dinner was arranged by Sir John Lawson for a number of his friends that evening, and Milner accepted the invitation to join them. He had previously consulted with the Vicar Apostolic of the London District, and also with his coadjutor, Dr. Poynter, and after their joint consultation, which resulted in a general agreement, Milner had declared " at all events let us Prelates act in concert on this occasion." In the evening he went to the dinner, unaware that any business was to be transacted at it. To his astonishment he was presently confronted with the drafts of a series of resolutions, read out by a member of the Catholic Board, which had been prepared for submission to the meeting on the following day.

Four out of the five resolutions were unexceptionable. The fifth, if discovered accidentally by any modern reader, would scarcely arouse a moment's attention. Had it not been for Milner's personal vehemence and intemperate language, it might, indeed, have been carried without any consequence and have passed into complete oblivion. But Milner himself, having seized upon the possible snares that it contained, and magnified its potential dangers to such a degree that the resolution became the cause of fierce dissensions, was to declare afterwards not only that it " separated

the Irish from the English Catholics, divided the last mentioned among themselves, carried discord into the bosom of the sanctuary, distressed the See Apostolic beyond description, and at length brought forth the persecuting and schismatical Bill of 1813 " ; but that it had " caused more dissension and mischief among the Catholics of England than any other measure since the divorce of Henry VIII from his Queen Catherine."

The actual wording of the resolution was as follows :—

" That the English Roman Catholics in soliciting the attention of Parliament to their petition, are actuated not more by a sense of the hardships and disabilities under which they labour, than by a desire to secure, on the most solid foundation, the peace and harmony of the British Empire ; and to obtain for themselves opportunities of manifesting by the most active exertions their zeal and interest in the common cause in which their country is engaged, for maintenance of its freedom and independence ; and that they are firmly persuaded that adequate provision for the maintenance of the civil and religious establishments of this kingdom may be made consistently with the strictest adherence on their part to the tenets and discipline of the Roman Catholic religion ; and that any arrangement on this basis of mutual satisfaction and security, and extending to them the full enjoyment of the civil constitution of their country will meet with their grateful concurrence."

That such a carefully worded resolution, qualifying in so many ways even its pious aspirations towards reconciliation between the Catholics and the civil power, should have aroused a hurricane of controversy must seem almost incredible to us who have escaped from the besetting suspicions of those intensely trying years. It was in vain that Charles Butler, the assiduous Secretary of the Catholic Board, protested that it was merely a " conciliatory resolution." Milner, to whom everything that Butler said or

did was cause for mistrust, could see in it nothing but a trap to commit the Catholic body in England to acceptance of the veto. Milner, it is true, had a double responsibility as a Vicar Apostolic in England, and as the recognised agent of the Irish bishops, and this made his own views more important than those of any other member of the Board. Most of the trouble between him and the English Catholic leaders, indeed, arose from this dual responsibility. They complained with justice that they never knew whether he was speaking for himself or for the Irish Catholics, and his own sudden transitions from a personal to a representative standpoint led to many misunderstandings and recriminations.

There were, however, real grounds for his quick suspicions in this case. Lord Grenville in his letter to the Earl of Fingal only a few days beforehand used expressions which were almost literally reproduced in the resolution ; and he had not only proposed that " an effectual negative on the appointment of Catholic bishops " must be " vested in the Crown," but had insisted that " adequate arrangements for all these purposes " must be made. It was the recollection of this very recent pronouncement by Lord Grenville that coloured Milner's views, that made him see in the resolution nothing less than acceptance of " the veto in its most hideous form," and that provoked his immediate and relentless opposition. He was not only hostile to the resolution, but furiously indignant at the way in which it had been presented to him. He protested that he had been invited to a dinner " for the express purpose of ensnaring him into an approbation of the resolution." He declared afterwards that he had been " baited and tortured on every side by the company present for an hour and more to make him consent to it, till he found relief in a flood of tears."

At least he was confident that the other English bishops would not sign it. Of the opposition of the Irish bishops he had no doubt whatever. But he was to be bitterly disillusioned by the English bishops, and the proceedings at

the Board meeting on 1st February were to produce an open cleavage between the English and the Irish Catholics for many years. Bishop Poynter went to the meeting on the following day, sharing Dr. Milner's views so strongly that he purposely spoke before the resolution was put from the chair, and declared that " this resolution would probably involve in its consequences questions which would affect the spiritual interests of the four districts, and which consequently must be referred to the four Vicars Apostolic." But before the gathering dispersed, Bishop Poynter and Bishop Collingridge had both been persuaded to sign the resolution, while Milner was in another part of the room. His dismay was overwhelming, and he expressed his feelings bitterly in a " Letter to a Catholic Peer," which, after a lengthy argument, concluded with the words : " I am bound to declare to you my conviction that I should (by signing) pledge myself to give up the vital interests of my religion on a future occasion, if the same were required of me." Dr. Poynter replied to this document presently, stating his own opinion that he had " found nothing objectionable " in the Fifth Resolution, but that he would not sign it until the Vicars Apostolic had considered it jointly. He said, further, that the chairman had guaranteed that the Vicars Apostolic would be consulted if any specific terms affecting the interests of religion were proposed.

For several years the controversy continued to rage. Milner's fervid imagination, and his inability to refrain from rhetorical outbursts, only deepened the misunderstanding which had arisen over a resolution which certainly the majority of its signatories regarded as having no ulterior motive. The English Vicars Apostolic, with the exception of Milner, repeated their approval of it, and both Lord Grey and Lord Grenville, who had been consulted in its drafting, made unequivocal declarations that they had no intention of committing the Catholics to anything more than the words literally implied. But the Irish bishops took a very different view of it, and regarded it as being at least a statement by

the English Catholics that they repudiated the anti-veto resolutions which had been passed by the Irish hierarchy in 1808. Archbishop Troy, writing to Bishop Poynter in November, protested that " vainly had your zealous and enlightened colleague, Dr. Milner, recommended a communication with the Irish bishops then assembled in Dublin; vainly had he prayed the respite of an hour that your lordships might confer together on the subject. His advice and entreaties were equally disregarded." But in Ireland the English resolution had immediately encountered a storm of unmitigated obloquy. The Dublin Catholic Committee were furious at what they regarded as a breach of the pledge given by the English Catholics, that they " would adopt no measures but such as might be considered as auxiliary to the more powerful exertions of the Irish Catholics and that they would regulate their conduct by that of their Irish brethren."

" From Cape Clear to the Giant's Causeway," says Milner, " nothing was heard but that the English Catholics had betrayed their brethren "; and the General Assembly formally resolved to instruct their Secretary, Mr. Hay, who was then in London, " not to make common cause, nor to hold any communication with the English Catholics." On St. Patrick's Day in the Cathedral of Cork, the Dominican preacher, Dr. Ryan, delivered a sermon, which was afterwards published and sold very widely, in which he openly denounced the English Catholics, with the exception of Milner, whom he described as " a single pillar of their little Church standing alone to uphold the tottering fabric." " The treacherous bargain has been held out to our brethren of a neighbouring country," he declared. " They have received the advances of the seducer with servile complacency." Dr. Ryan's bishop subsequently expressed his displeasure and disgust at what he regarded as an attempt " to make use of the pulpit of Truth and Charity for so very improper a purpose." But Archbishop Troy, when he received a complaint about it from Bishop Poynter, did not even express regret, but said that " the preacher ran with the popular

tide, which flowed strongly here against any pledge to secure the Protestant religious establishment or to adopt arrangements broadly hinted at in Lord Grenville's letter to Lord Fingal."

The Irish bishops, at their meeting in Dublin within a few weeks after the Fifth Resolution had been passed in London, issued a series of emphatic protests at once. They declared :—

1. " That it is the undoubted and exclusive right of Roman Catholic bishops to discuss and decide all matters appertaining to the doctrines and discipline of the Roman Catholic Church.

2. " That we do hereby confirm and declare our unaltered adherence to the resolutions unanimously entered into at our last General Meeting on the 14th September 1808.

3. " That we are convinced that the Oath of Allegiance, framed and proposed by the Legislature itself, and taken by us, is not only adequate security for our loyalty, but that we know of no stronger pledge that we can possibly give.

4. " That having disclaimed upon oath all right in the Pope or any other Foreign Potentate to interfere in the Temporal Concerns of the Kingdom, an adherence to the practice observed in the appointment of the Irish Roman Catholic Prelates cannot tend to produce an undue or mischievous exercise of any foreign influence whatsoever.

5. " That we neither seek nor desire any other earthly consideration for our Spiritual Ministry to our respective flocks, save what they may, from a sense of religion and duty, voluntarily afford us.

6. " That an Address, explanatory of these our sentiments, be prepared, and directed to the Roman Catholic clergy and laity of Ireland, and conveying such further instruction as existing circumstances may seem to require."

A final resolution which they added to the others intensified the ill-feeling between the Catholics of both countries. They publicly expressed in it their thanks to Dr. Milner " for the faithful discharge of his duty " as their agent, and " more

particularly for his late Apostolic firmness in dissenting from and opposing a vague, general, and indefinite Declaration or Resolution pledging Roman Catholics to an eventual acquiescence in arrangements possibly prejudicial to the integrity and safety of our Church discipline." This resolution, which was a clear challenge to the attitude of the English Catholic Board, was for some reason excluded from the edition of the Irish bishops' address which was circulated in England ; and the Catholic Board made this omission the pretext for appearing to repudiate it. They sent a formal letter to Archbishop Troy, which was deliberately provocative. They asked whether Bishop Milner was still to be regarded as the agent of the Irish bishops, and even questioned his veracity by asking whether the resolution which he had published concerning himself was genuine. Pretending that they could not regard it as authentic, they described it as " a libel, an awkward attempt of malice, published to forward dangerous views and scandals." Dr. Troy replied very briefly at once that the resolution published by Milner was genuine ; and the feud between Milner as the agent of the Irish bishops and the rest of the English Catholic Board became more bitter than ever. However intemperate his own language was, the Catholic Board henceforward equalled his own lack of any spirit of conciliation, and did not hesitate to concentrate their attacks upon him personally.

The Irish Catholic laity, with Lord ffrench as their Chairman, met on 2nd March and fully endorsed the attitude of the Irish bishops. They resolved that " as Irishmen and Catholics we never can consent to any dominion or control whatsoever over the appointment of our Prelates on the part of the Crown or the servants of the Crown." Six weeks later they went further in passing a resolution designed to deter their own bishops from any continuance of negotiations concerning the veto, declaring that " we feel it a duty we owe to ourselves and to our country solemnly to declare that the Catholic laity of Ireland never have directly nor indirectly

authorised any persons to offer through our friends, in Parliament or otherwise, the conceding to the Crown any interference whatsoever with respect to the appointment of Catholic Prelates in Ireland." The Irish bishops meanwhile appealed to their English brethren at least to give some public explanation of their resolution so as to prevent misunderstanding. But the controversy led to no reconciliation, and a year later Milner was declaring openly in a famous pastoral that the other English bishops had been deceived at the meeting of the Catholic Board by " downright specific falsehoods, and it is a fact, which fell within my own knowledge, that more persons than one have boasted of this their irreligious over-reaching."

CHAPTER XIV

GRATTAN'S BILL, 1813, AND THE QUARANTOTTI RESCRIPT

WHILE this acute dissension was still raging between Milner and the Catholic Board, and between the Irish and the English Catholics, opinion in Parliament had gradually tended towards concessions ; and by the beginning of 1813 Henry Grattan had grown so confident of the result of his next petition on behalf of the Catholics that he had taken part in the preparation of a Catholic Relief Bill. In conjunction with Ponsonby and Elliott he instructed Charles Butler, as Secretary of the Catholic Board, to prepare a Bill in conformity with certain simple conditions : that the Protestant Church and also the succession to the Crown in the person of a Protestant Prince must be maintained ; that the repeal of the disabilities affecting Catholics was not inconsistent with either ; and that certain exceptions must be made to the Act of repeal. Grattan introduced his resolution in the Commons on 25th February, and after a debate which lasted through four evenings he carried it by 264 votes to 224. A fortnight later he moved in Committee that it was desirable that all Catholic disabilities should be abolished, subject only to certain " securities." The Speaker was one of the strongest opponents of the Catholic claims, and was so scandalised at the proposal that he actually made a speech against Grattan's motion. But his zeal was not yet to be rewarded. Grattan's resolution was carried with a larger majority than before, by 186 votes to 119.

Charles Butler and the Catholic Board, needless to say, were jubilant, though the Irish Catholics had come to view even the proposals emanating from the devoted patriot Grattan with suspicion, since his insistence upon the veto

some years before. The English Board met almost immediately and passed two resolutions: one thanking the House of Commons, and the other offering quite needlessly a promise of the kind that the Irish Catholics always detested—"to make any sacrifice that is not inconsistent with their religious principles." A new spirit was rapidly growing in Ireland which resented any demand for sacrifices; and this voluntary offer by the English Board, to make sacrifices before they had even been specified, was a bad omen for the character of the Bill.

On 13th May, after a further success on a division, Grattan was enabled to bring in the Bill. In its original form it would have conceded almost everything that the Catholics demanded. They were to be allowed to vote; to take their seats in both Houses of Parliament; to hold any offices in the army or navy or city corporations, and to be eligible as justices of the peace. Only the positions of Lord Chancellor and Lord-Lieutenant of Ireland were to remain barred to them, and they were not to be allowed to present to livings in the Established Church. In its original form the Bill contained no "securities" such as had aroused so much controversy before. But Catholics were to be required to take very stringent oaths of allegiance; and the clergy were required to swear that they would "never concur in or consent to the appointment or consecration of any Roman Catholic Bishop or Dean or Vicar Apostolic in the United Kingdom but such as they shall conscientiously deem to be of unimpeachable loyalty and peaceable conduct," and who agreed that they would have no correspondence with Rome "tending directly or indirectly to overthrow or distrust the Protestant Government or the Protestant Church" or "on any matter or things not purely spiritual or ecclesiastical." The only other "arrangement" included in the original Bill was that no foreign priest was to be made a bishop within the United Kingdom, or any priest who had not lived for at least five years preceding in the country.

The Bill in this original state would probably have escaped

condemnation among the Irish Catholics, though Milner—who embarked upon an unrestrained campaign against it when it had been altered by the additional clauses—protested afterwards that the oath required of the clergy would have "precluded them from corresponding with all foreign Prelates in every part of the world upon subjects of literature, health, civility, etc., as well as upon professional business." Milner was temperamentally addicted to magnifying every possible objection to any proposed legislation; and in his zeal as the agent of the Irish bishops he was incapable of understanding the outlook of an Irish Catholic like Daniel O'Connell, who was accustomed to circumventing oppressive Acts of Parliament, and was prepared to accept almost any enactment for relief provided he could see means of evading its restrictions in practice.

But Grattan's Bill, brought forward under such auspicious conditions after the majority vote in favour of his Catholic resolutions, was doomed to become a most miserable fiasco. Before it was even introduced, Canning—one of the most devoted English advocates of Catholic rights—had insisted upon introducing several additional clauses, designed to overcome Protestant prejudice against the Bill, but revealing such a complete misunderstanding of the Catholic demands that they made the Bill an insult to those whom he desired to relieve. The clauses were, of course, intended to provide "securities," in regard to what never ceased to disturb the minds of loyal Protestants—the appointment of Catholic bishops. Canning accordingly proposed the appointment of two Commissions, one for England and one for Ireland, which were to exercise, by an ingenious compromise, the control to which the Catholics had previously objected. Instead of leaving the veto to the Government, Canning, with the best intentions imaginable, believed that he had solved the problem by proposing the creation of special committees who should deal with Catholic questions, upon which the Catholics themselves were to be in a majority. They were to be unpaid, though £1000 a year was to be

granted for their expenses, and their duties were to consist simply in certifying the loyalty and peaceable conduct of candidates in the election of bishops and deans, and to inspect all bulls or dispensations emanating from Rome.

As an instance of misguided interference by a well-meaning reformer, these Canning clauses deserve immortality. For years, in season and out of season, Canning had made the cause of the Catholics his own. It was one of his ambitions that Catholic emancipation should be associated with his own name. And when Grattan—having secured a majority three times in succession within a month in favour of the Catholic claims—introduced his Bill under conditions which seemed to promise every hope of success, at any rate in the House of Commons, it was anxiety to protect it from the possible revival of Protestant prejudice that impelled Canning to add clauses which, as safeguards, were obviously ridiculous, and which created such difficulties for the Catholics themselves as to make the whole Bill unacceptable.

Canning had learned, too late, that his well-intentioned endeavours were likely to cause objection in Ireland. His clauses in their original form had to go forward. But at the last minute he took the unusual step of withdrawing them after consultation with Lord Castlereagh, whose more skilful diplomacy had been directed to overcoming the most glaring objection to what Canning had proposed. Not realising that he was blundering into a hornet's nest, Canning had belatedly submitted the drafts of his clauses to Archbishop Troy in Dublin and to Bishop Poynter in London. Writing to O'Connell, the Irish Archbishop had immediately pointed out the obvious objection. " I deprecated," he wrote, " any lay interference not authorised by the Church, in the appointment of our Bishops : and particularly to the proposed inquisitorial, close, absolute, and summary commissions or Boards of five lay persons, however respectable from rank and character, without responsibility, as an *imperium in imperio*, and a kind of lay eldership unknown in our Church government. On the Sunday before Lord Fingal's de-

parture from England I observed to his Lordship that the exclusion of the Bishops from the proposed commission was insulting to our clergy, as intimating a suspicion or doubt, if not an affirmation of their disloyalty." Dr. Troy then explains that he had written personally to Canning on the matter, and that Canning had replied—in a phrase which illuminates the whole misunderstanding between the Irish Catholics and their political allies at Westminster, that he had merely sent the clauses for the Archbishop to see " *as a matter of courtesy and not for the purpose of consultation*, that it was always his principle that Parliament should decide, not that Roman Catholics should dictate, the terms of any Act to be passed for their benefit; that on this principle he must decline taking upon himself to announce what I called a protest against the clauses intended to be proposed in Committee, the language of protest not being in his opinion the language to be addressed to Parliament."

Even so, Canning can have had little conception of the mischief which his well-intentioned clauses contained. Dr. Troy's emphatic protest against the creation of " a kind of lay eldership unknown in our Church government " can scarcely have conveyed to his mind what passionate resistance must be aroused by any such proposal to tamper with the traditional relations between the laity and the hierarchy. Still less can he have realised that this very issue had already been the cause of profound mistrust between the English and the Irish Catholics; and that his own modification of Grattan's Bill would intensify that mistrust to such an extent that the controversy would involve a conflict of decisions in Rome itself. Such, however, was to be the result of a clumsy attempt at compromise, which defeated its own ends while outraging the feelings of devout Catholics. Writing a hundred years later, Bishop Ward, with his scrupulous regard for the impartiality of a historian, pointed out the " absurd inconsistency " of the Bill as amended by Canning's additions to it. " First," he writes, " every priest was to swear an oath that he would not communicate with Rome, except

about spiritual concerns; then the Government were to show that, in the case of a bishop at least, they did not believe that oath by appointing a commission to examine all his communications; then, finally, if he swore that some particular communication *was* about spiritual matters, they were to believe him. The object of the whole procedure was to give some public guarantee that there should be no correspondence with a foreign power over political questions: to say the least, it was a cumbrous piece of machinery to gain this end."

By the 21st the Canning clauses, after revision in consultation with Lord Castlereagh, had been finally settled. The exclusion of bishops from the proposed commissions was ratified; and they were to consist of five Catholic peers or rich commoners, one or more Protestant Privy Counsellors, and the Vicar Apostolic of the London district on the English, and the Archbishop of Dublin and Armagh on the Irish, commissions. Four days later the Irish bishops assembled in Dublin, unaware of the fate of the Bill as a whole, and declared their attitude towards its final form in a pastoral letter. In language which before long was to become wholly out of fashion, they thanked Parliament for its "gracious condescension in taking into favourable consideration the disabilities which still affect the Catholic body"; and went on to say that "with the utmost distress of mind we are compelled by a sense of duty to dissent . . . from the opinions of those virtuous and enlightened statesmen who have so long and so ably advocated the cause of Catholic freedom." "Unquestionably from the most upright motives, but probably from a want of sufficient information," the bishops continued, these gentlemen had proposed certain "arrangements respecting our ecclesiastical discipline and particularly respecting the exercise of episcopal functions, to which it would be impossible for us to assent without incurring the guilt of Schism." And lest it might be imagined, if they preserved silence, that these clauses, coming from such a source, had their unqualified approbation, they

declared that " we deem it a duty which we owe to you, to our country, and to our God, to declare in the most public manner ' that they have not, and in their present shape they never can have, our concurrence.' "

Then, after proclaiming their willingness to certify their loyalty by taking any oath not inconsistent with Catholic principles, they passed three resolutions :—

" 1. That certain Ecclesiastical Clauses or Securities contained (in the Bill) are utterly incompatible with the discipline of the Roman Catholic Church, and with the form exercise of our religion.

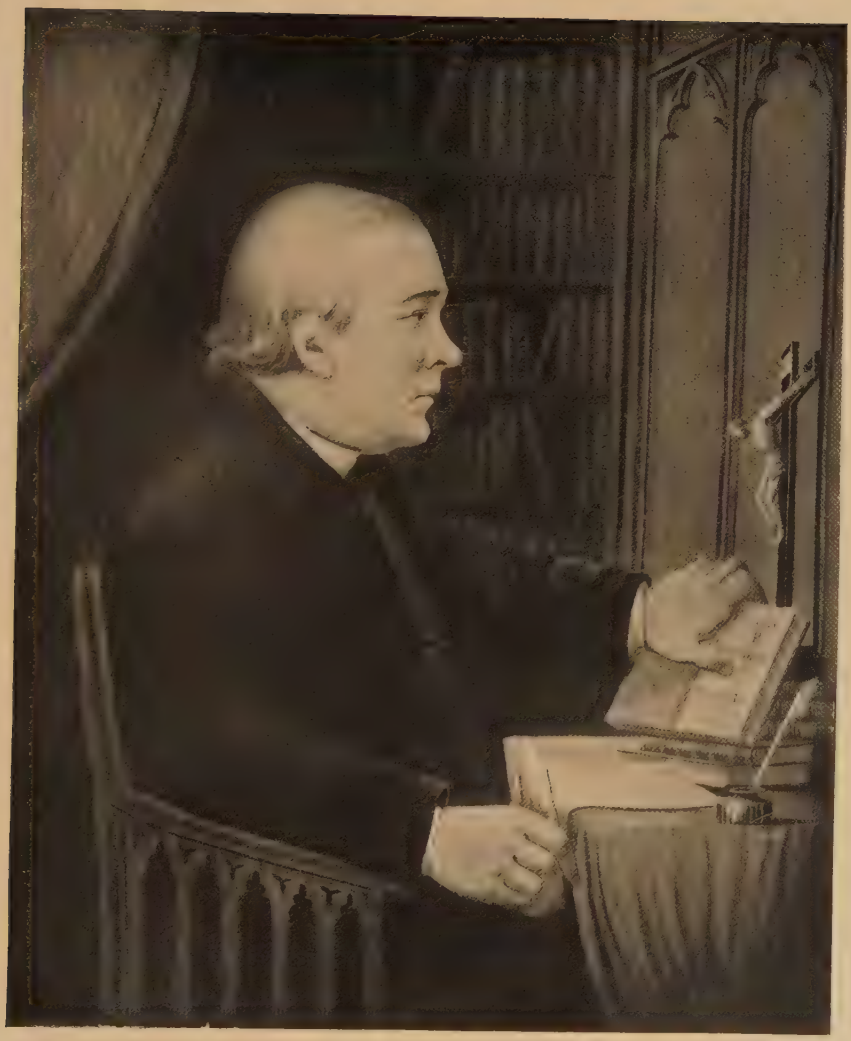
" 2. That we cannot, without incurring the heavy guilt of Schism, accede to such Regulations, nor can we dissemble our dismay and consternation at the consequences which such Regulations, if enforced, must necessarily produce.

" 3. That we would with the utmost willingness swear (should the Legislature require us so to do) ' That we never will concur in the appointment or consecration of any Bishop whom we do not conscientiously believe to be of unimpeachable loyalty and peaceable conduct.' And further, ' That we have not, and that we will not have, any correspondence or communication with the Chief Pastor of our Church, or with any person authorised to act in his name, for the purpose of overthrowing or disturbing the Protestant Government, or the Protestant Church of Great Britain and Ireland, or the Protestant Church of Scotland as by law established.' "

These resolutions were passed on 25th May. During the previous night in the House of Commons, in circumstances which will be presently described, the Bill was abandoned at the instigation of its promoters. But the cleavage between the English and the Irish Catholics had thus become much deeper before the Bill was defeated ; and the personal activities of Bishop Milner had done more than anything to intensify it. Milner's suspicions had been aroused before the Canning clauses had even been produced, and he attri-

buted the whole transaction to his *bête noire*, Charles Butler, the Secretary of the Catholic Board, whom he called " the theological lawyer of Lincoln's Inn," and whom he accused of having been " concerting for months beforehand with Canning and Castlereagh." Actually Butler had seen the clauses, though he was by no means responsible for them. To Archbishop Troy, in Dublin, Butler wrote bitterly : " I wish this task had fallen to the lot of any other person than myself ; but various circumstances put it on me." He claimed that his own part had been to " work day and night to bring them down to a form the least unpleasant to the Roman Catholics which those who require safeguards could be brought to endure." His view, generally, was that the suggested commissions would " prove a matter of form, a mere phantom," and that while he regarded the provisions as unnecessary, he held that " a vetoistical arrangement either formally approved, or impliedly but clearly acquiesced in by the Pontiff, would be a prudent and innocuous propitiation ; a wise and lawful sacrifice for emancipation."

But before the Irish bishops had declared their opposition, and while Bishop Poynter, in close touch with the influential Catholic Board, was still hoping for such modifications as would make the Bill acceptable, Milner, in Winchester, had made up his mind that the Canning clauses must be openly resisted. For two years he had not seen Bishop Poynter, and they had parted under extremely painful circumstances of hostility. But Milner, deciding to ignore their previous differences, hurried to London and sent a formal note to Dr. Poynter asking him in two lines to " join with him in openly opposing Mr. Canning's clauses." Poynter replied evasively by saying that he had not yet seen Canning's clauses, and that he " wished first to see the Irish bishops joined with your Lordship before opposing them." Next day, when the clauses were published, Milner repeated his request, but without success. Before he left Winchester he had written to a friend the famous phrase : " I shall be baited like a bull, but I am ready to encounter the white



Bishop Milner

bears of Hudson's Bay, and the kangaroos of Botany Bay, rather than yield." Having failed to persuade Bishop Poynter to join with him, he forthwith published a *Brief Memorial on the Catholic Bill*, which was printed and circulated among the Members of Parliament at once. Milner's unhesitating opposition to the Bill showed his great courage and his characteristic refusal to compromise first principles for the attainment of any temporal end. He denounced it again and again afterwards in most vigorous language, of which his letter to the *Orthodox Journal* in 1819 is a fair sample, where he calls it " that most infamous Bill, the like of which was never devised by Cecil, or Shaftesbury, or Robespierre himself. This Bill was contrived with a heart and malice which none but *the spirits of wickedness in high places*, mentioned by St. Paul, could have suggested, to undermine and wither the fair trees of the English and Irish Catholic Churches. Upon the appearance of this Bill, the prelates, one and all, were struck with horror, and one of them was reduced to death's door from the dread of it."

Butler and the Catholic Board, who had spent much labour on shaping the Bill, and who regarded it as acceptable, were furious with Milner's publication of his *Brief Memorial*, and they retaliated by printing over the week-end a fly-leaf, which in unpardonable language dismissed the protests of one of the four English bishops by saying, " It is hoped the legislature will proceed in its progress of benevolent concession, regardless of interference of unaccredited individuals." Meanwhile Bishop Collingridge, who had hurried to London like Milner, succeeded after much effort in bringing about a meeting of bishop and representative Catholic laymen. But Milner wrecked all hopes of any helpful consultation by producing a series of challenging questions which he invited the other bishops to answer in the presence of all, and which they not unnaturally refused to discuss. Dr. Poynter insisted that influential men in Parliament might be able to improve the Bill, but Milner broke up the meeting by recording his own emphatic protest and announcing that " any two of those

present could secure the withdrawal of the Bill at once by informing Mr. Grattan that it was incompatible with the integrity or the safety of the Catholic religion."

When the meeting broke up, Milner declared that "the success of the Bill was as confidently expected to take place in the course of a few hours as the rising of the sun next morning." But an unexpected development took place in Committee. The Speaker once again showed his earnest religious convictions by taking part in the debate, and in a strong appeal to the House to reject the Bill he pointed out that both Milner and Archbishop Troy, in Dublin, had declared their opposition to it. He expressed his own willingness to concede what the Catholics demanded in regard to the army and navy and the professions, but he was so vehemently opposed to their being admitted to political power—because of their subjection to the Pope—that he moved an amendment to leave out of the Bill the clauses giving them the right to sit in Parliament. It was past midnight when the debate ended, and the Chairman read out the result. The Speaker's amendment had been carried by 251 votes to 247—a majority of four. This left the Bill such a miserable caricature of "emancipation" that Mr. Ponsonby announced that it was no longer worth either the acceptance of the Catholics or the support of their friends; and it consequently proceeded no further.

Disappointment, at this failure of the hopes which they had based upon so many concessions, was intense among the Catholic Board after the ignominious collapse of Grattan's Bill. Against Milner, for his furious opposition to it, they were even more resentful than against the Speaker, who had reduced it to ruins. Four days after Ponsonby's announcement in the House of Commons a message was conveyed to Milner by two members of the Board that it was intended to pass a motion at the Board meeting on the following day, not only censuring him for having opposed the Bill, but expelling him from the Select Committee. The two gentlemen politely intimated to the Bishop that he could save himself

from this public disgrace by resigning of his own accord. No action could have been more calculated to stiffen Milner's resistance. He went down to the meeting on 29th May prepared to defend himself against all attacks. A resolution was passed expressing strong disapproval of his *Brief Memorial*, and he was then asked by the Chairman, to whom he had alluded in speaking of " certain false brethren of the Catholic body " in a postscript to his pamphlet. Milner replied that he had referred to Charles Butler, and his statement was followed by intense excitement. The Board thereupon carried two resolutions immediately. The first was a vote of gratitude to Butler, and the second dismissed Milner from the Select Committee. Milner's reply was terse and pointed. " My *Brief Memorial*," he said, " was published not on behalf of the present company of sixty-five persons, nor of their constituents, they not being chosen to represent any other Catholics, nor does it profess to speak their sentiments. In short, I have spoken and acted on behalf of thirty bishops and of more than five million Catholics, whom the Bill concerns, and whose religious business I am authorised to transact." He then walked to the door, and with his hand upon the handle he hurled at the small gathering of aristocrats the memorable defiance : " You may expel me from this Board ; but I hope you will not turn me out of the Catholic Church, nor exclude me from the kingdom of heaven."

In all the story of Catholic Emancipation there is no scene more dramatic than this extraordinary occasion when, as Milner himself said of it afterwards, " a society of Catholics, acknowledging their bishops to be the divinely constituted judges and guardians of their religion, publicly insult and persecute a bishop for doing his duty." It was deplorable evidence of the lengths the English Catholic Board were prepared to go in making concessions which compromised the Church, and in attacking those who disapproved of their conduct. That Milner had the unqualified support of the Irish Catholics was shown on the very day that he was being

expelled by the Catholic Board. Twenty-seven bishops assembled in synod in Ireland on that same day, unaware of the insult that had been offered to him, passed a resolution which put on record that " the Rt. Rev. Dr. John Milner, Bishop of Castabala, our vigilant, incorruptible agent, the powerful and unwearied champion of the Catholic religion, continues to possess our esteem, our confidence, and our gratitude." On the same day the Irish Catholic Board met also, and on behalf of the Irish laity conveyed their thanks to the Irish bishops for having condemned the Bill, and their rejoicings at its defeat. And on 15th June an aggregate meeting of Irish Catholics passed a resolution of cordial approbation and gratitude to Dr. Milner " for his manly, upright, and conscientious opposition " to it. O'Connell moved this resolution personally, and the whole assembly rose to their feet and raised their hats. Many similar votes of thanks to Milner were passed all over Ireland ; and from Liverpool an address of thanks, containing over four thousand signatures, was sent to him.

Milner's vindication, both by the Irish bishops and by the Catholic population in Ireland, could scarcely have been more complete. Only the exclusive club of aristocrats who constituted the English Catholic Board had shown definite approval of the Bill. The Irish bishops had declared unanimously and emphatically against it. That a Bill denounced in such strong terms should be identified with the name of the great advocate of Catholic rights, Henry Grattan, may appear surprising. In justice to him it should be noted that the most obnoxious clauses were those inserted by Canning and by Lord Castlereagh. But the Bill wrecked Grattan's reputation as a Catholic champion in Ireland ; and the introduction and defeat of this Bill coincides with the rise of O'Connell, who henceforward becomes the undisputed leader of the Irish Catholics.

Having expelled Bishop Milner from membership of their executive committee, the self-appointed Catholic Board proceeded to exploit every possible means of counteracting

his opposition. Circumstances combined to give them an unprecedented opportunity for exercising political influence at Rome. For more than four years, since July 1809, Pope Pius VII had been detained as a prisoner by Napoleon, and at Rome all the usual machinery of administration was paralysed. Before he left Rome, Pius VII had entrusted to Mgr. Quarantotti, as Vice-Prefect of the College of Propaganda, all the ordinary powers required to carry on the business of the Church. One vital reservation had been made, and Mgr. Quarantotti had been expressly excluded from all power to nominate bishops to vacant sees ; but his powers were otherwise extremely wide. The ordinary legislator in a Protestant country could not be expected to appreciate these subtleties ; and so the Catholic Board, in their conviction that the Emancipation Bill would bring advantages which would compensate for the concessions it involved, deliberately undertook to obtain approval from the Holy See, in the absence of the Pope himself during his protracted imprisonment at Fontainebleu. The President of the Scotch College in Rome, the Rev. P. Macpherson, an extremely capable and experienced diplomat, who was in full sympathy with the Catholic Board, and a determined enemy of both Milner and Archbishop Troy, was employed as their agent to approach Mgr. Quarantotti. With much skill and persistence he impressed upon the unsuspecting prelate, who was entirely ignorant of English or Irish affairs and was nearly eighty years of age, that great advantages to the Church were at stake in the fate of Grattan's Bill.

The manœuvre before long succeeded, and a rescript, signed by Mgr. Quarantotti and addressed to Bishop Poynter, was received in April 1814, which declared that the Catholics " ought to receive and embrace with content and gratitude the law which was proposed last year for their Emancipation, agreeably to the form received by us." The rescript was dated 16th February, but it did not reach England till 28th April. Within a few weeks of its arrival the liberation of Pope Pius was announced, and uninstructed opinion in

England believed before long that the rescript came from him. Its arrival produced an indescribable commotion. The Catholic Board exulted and triumphed. The Irish Catholics, undismayed, refused to recognise the Monsignor's right to issue any such instructions. Dr. Poynter, who had never been enthusiastic over the Bill, but had been prepared to acquiesce in it, must have been sorely pained by the letters which he received from the Irish bishops. Dr. Coppinger, Bishop of Cloyne, acknowledged the rescript " with feelings of disgust and indignation " ; and Bishop O'Shaughnessy, of Killaloe, wrote to say quite bluntly : " I have received with indignation your Lordship's letter, together with Mgr. Quarantotti's detestable rescript. I am well aware that the result of this pernicious measure, if carried into effect, would be virtually fatal to the Catholic religion of Ireland ; therefore, for myself individually, I hasten to protest against it ; and though I should stand alone, while I have breath in my body, I will continue to do so."

On 25th May the Irish bishops considered the position solemnly in synod at Maynooth, and unanimously agreed upon four resolutions. The first was to congratulate the Pope on his liberation (he reached Rome on the very day that the Irish bishops assembled at Maynooth). The second declared at once " that having taken into our mature consideration the late rescript of the Vice-Prefect of the Propaganda, we are fully convinced that it is not *mandatory*." The third was to depute two Irish bishops to convey their unanimous and well-known sentiments to the Pope, from whom they have reason to expect a satisfactory decision. The fourth was to communicate the preceding resolutions to Mr. Grattan and to Lord Donoughmore, and entreat them to exert themselves in any future discussions which the bishops had already deprecated as penal and injurious to religion.

Milner himself decided to go at once to Rome. His own view of the rescript, and of how it was obtained, was characteristically forcible. He wrote afterwards in his *Supplementary Memoirs* that the President of the Scotch College

had fraudulently obtained it " through a series of gross falsehoods and malicious representations, which he professed to derive from high authority in England." " Thus deceived," said Milner, " in all the leading circumstances of the case, by letters which the Scotch agent professed to have received from the most respectable authority in England . . . no wonder that the humane and pious old man should have been prevailed upon to outstep his authority and his province, and to sign his name to the document prepared for him." Cardinal Litta had told him that Mgr. Quarantotti had never even seen the Bill which he declared that Catholics should " receive and embrace with content and gratitude."

Determined to put matters in a different light at Rome, Milner lost no time in hurrying upon his journey. Before peace was yet concluded with France, he crossed the Channel in an open fishing-boat—to which he had to be carried bodily on a fisherman's back through the water—and then passed through the armed camps of Russian, Prussian, Austrian, and English armies, on his journey from Boulogne to Parma. He reached Rome within a few days after the Pope's triumphant return to the city. Already the Pope had shown his strong disapproval of the rescript. The four prelates and the four theologians who had been consulted by Mgr. Quarantotti concerning it were already disgraced and put in penance. It was some time before Pius VII would even receive Mgr. Quarantotti, who had offended also by taking a qualified oath of allegiance to Napoleon. Meanwhile Milner himself was received with enthusiasm by the Pope, who said that he had heard much of him. " Has the Act of Parliament passed ? Have the Catholics taken the oath ? " he asked anxiously, adding, " He (*i.e.*, Mgr. Quarantotti) ought not to have written that letter without authority from the Holy See." Milner reassured him ; and he was then referred to Cardinal Litta, who had been appointed to replace Mgr. Quarantotti. The Cardinal saw him frequently, and got him to draw up a statement of his case, which Milner did, concluding with a frank admission that he knew he had " numerous and

powerful enemies, Catholics as well as Protestants," and offering unreservedly to resign his see at once if, for that or any other reason, the Apostolic See should consider it desirable.

In Rome Milner was soon joined by Dr. Murray, coadjutor to the Archbishop of Dublin, who was sent to assist him there as a second spokesman for the Irish hierarchy. But before Dr. Murray arrived Milner, in spite of the feverish activities of Mr Macpherson on behalf of the Catholic Board, had succeeded in winning Cardinal Litta completely to his side. On 25th June a letter was accordingly sent to Dr. Poynter and to Dr. Troy from the Cardinal, which announced that " Now, since by the singular goodness of God both the most blessed Father and the Cardinals of the Roman Church have returned, it has seemed good to His Holiness that a matter of such importance should—as indeed is fitting—be considered as a whole in general Congregation, that by the advice of the Cardinals whatever shall seem just and most expedient for the Catholic cause should be decreed by the supreme judgment of His Holiness." Dr. Murray could therefore report at once that the object of their mission had been already achieved.

They remained for nine months in Rome from the date of Milner's arrival ; and in constant relations with Cardinal Litta and other prelates, they were received with every mark of favour. While they were there the English Catholic Board sent an address to the Pope, giving their own opposite views. They complained of some of their " own brethren who ceased not to accuse us as apostates, and ready to sacrifice our faith to the acquisitions of wordly advantages." They declared they had received Mgr. Quarantotti's rescript " with unspeakable joy," and that they had given to its contents their " fullest and most unequivocal assurances of adherence and respect." They expressed their confident expectation that they would receive the assurance that it spoke the genuine and full sentiments of the paternal heart of His Holiness. But the Pope declined to give any such confirma-

tion to the lamentable rescript. The Catholic Board's address was dated 17th June 1814; but the Pope did not reply to it until 28th December, and the reply was not received in England until late February 1815. It pointed out that the rescript involved a matter of the highest importance, and, as it had been issued in his own absence, it had been handed to the Cardinals to whom such matters were usually referred to be examined in full.

CHAPTER XV

THE RISE OF O'CONNELL

In England the protracted controversy over the veto question had thus left the Catholics so hopelessly divided that the Government no longer felt any necessity to pay attention to their grievances. The Relief Bill of 1813 had been defeated as much by the determined onslaughts of Bishop Milner and of the Irish Catholics as by the organised resistance among the Protestant opposition. The policy of compromise had not only failed to secure results, but had wrecked the unity of the Catholic agitation, and created an open conflict between the Catholic aristocracy and the ablest of the English bishops. All hope of political success for the emancipation movement had under such conditions vanished for years to come. In Ireland, on the other hand, the Catholics had already received sufficient relief to advance with considerable rapidity, in every year that passed, towards exerting a decisive influence in the life of the country. With the professions, as well as industry and commerce and the land, freely available to them, they had begun quickly to increase their wealth and their collective influence; and while their economic and social conditions thus improved from year to year, they became more and more conscious of the degradation involved in their exclusion from Parliament. Taxed without being represented, and governed by laws and by an administration in which they had no direct representation, they more and more identified the vindication of Catholic rights with the demand for political independence.

This fusion of the Catholic and the nationalist agitations was inevitable under the existing conditions. The English Parliament had shown already that the Protestant forces were overwhelmingly opposed to concessions to the Catholic

claims. In the House of Commons pious resolutions in favour of concession might conceivably scrape through a division. But the House of Lords, with the King at their back as an absolutely impassable obstruction, lay behind the Commons as an insuperable barrier to allowing concessions which might be extracted from the less bigoted lower House. Before the Act of Union the prospects of the Irish Catholics had been immeasurably better than they could be now. The whole subsequent agitation for repeal of the Union was very largely due to realisation of this very simple truth—that no Irish Parliament could have continued to keep the Catholics down, whereas the English Parliament had comparatively little to fear from their discontent.

O'Connell had been one of the few Irish Catholics who saw this from the beginning, and in the very first speech he made in public as a young Catholic barrister he revealed his political insight by proclaiming the close dependence of one question upon the other. Speaking at a public meeting in Dublin on 13th January 1800, just before the last session of the Irish Parliament, in which the Union was carried, he had appealed to " every Catholic who feels with me to proclaim that if the alternative were offered to him of Union or the re-enactment of the Penal Code, in all its pristine horrors, that he would prefer without hesitation the latter, as the lesser and more sufferable evil ; that he would rather confide in the practice of his brethren, the Protestants of Ireland, who had already liberated him, than lay his country at the feet of foreigners." The young barrister's language was exaggerated and bombastic ; but his judgment was sound. Had the Irish Parliament continued in existence Pitt would before long have been able to insist, as a war necessity, upon the passing of a further measure of emancipation by the Irish landlord Parliament as easily as he had overborne their truculent opposition in 1793. But the passing of the Union made it impossible to treat the Irish Catholics as separate from the English Catholics, and henceforward it was impossible for Pitt to dictate at Westminster, or at

Windsor, as he had dictated to the Irish Parliament eight years before. So, when the ignominious collapse of Grattan's ill-fated Catholic Relief Bill in 1813 had shown once and for all that no further hope could be based upon political negotiations in London, the time had clearly come to try a wholly different plan—to fall back upon that method of concentrated agitation in Ireland itself which was discovered by Daniel O'Connell, and which in generation after generation has eventually secured for Irishmen the satisfaction of each popular demand.

Fortunately for the English Catholics—alike for the noblemen and landlords who constituted the Catholic Board, and for the Catholic common people of Lancashire and of other districts, who regarded Milner as their own special leader—there had appeared in Ireland one of the biggest Catholic figures who had arisen in Europe since the Reformation. Daniel O'Connell was no saint, of the kind that made the counter-Reformation in the seventeenth century. Popular tradition in Ireland—where his name was idolised until the Young Ireland Movement came to discredit him politically in the 'forties—admits frequent moral lapses in his private life. But devotion to his religion was unquestionably the dominating motive throughout his career. His immortality is secured through his triumphant vindication of the Catholic claims by the sheer force of his own energy and genius against overwhelming odds ; whereas his later record as an Irish political agitator ended ignominiously when the British Government called his bluff, by mobilising troops and artillery against him at the climax of the agitation for the repeal of the Union. And although various passages of his earlier speeches could be quoted to show that he put the demand for repeal above the demand for Catholic emancipation, it must be remembered that repeal, if carried by the popular agitation which he created, would have brought with it not only the immediate concession of Catholic claims, but the certainty that a Catholic majority would before long have achieved that predominating influence which was their due in the government of Ireland.

Soon after Pitt's death his name begins to appear conspicuously among the leaders of the Irish Catholics. John Keogh, who as their recognised leader had shown infinite public spirit for many years since the secession of Lord Kenmare in 1783, had grown old, and the active work of leadership devolved largely upon the barrister, Denys Scully. Pitt's administration had been succeeded after his death by Lord Grenville's "Ministry of all the talents" in 1806, and in the following year Lord Grey had introduced his Bill to enable Catholics to hold commissions in the army and to give them free exercise of their religion while on military service. The King had almost immediately asserted his conscientious objections by dismissing the Ministry. The Duke of Portland, invited by the King to replace him, with a clear understanding that no more Catholic concessions would be mentioned, appealed at once to the country on a "No Popery" cry, and received a strong mandate at the elections to have no more negotiations with the Catholics. At the beginning of the following year, 1807, the Irish Catholics met to consider the situation. Keogh was still their recognised leader when the Catholic Committee, which had been revived in 1805 after a lapse of several years, met in Dublin in January; but in his temporary absence the policy which he supported was for the first time outvoted on a proposal by O'Connell. The decision was on a matter of small importance, but one in which the traditional conflict between youth and age was involved. Certain members of the Committee desired that a petition for the total abrogation of the penal laws should be submitted to the new Parliament at once. Keogh, who had assisted in the drafting and presentation of so many petitions, was of opinion that a continuance of petitioning made their cause appear ridiculous. But O'Connell—"a young barrister who had begun to make a figure at the bar," as Sheil recalls the incident—believed that his own programme of intensive agitation was yet to be tried; and he knew, as Keogh could not have known, what vast energy and inspiration he was himself capable of bringing

to the agitation. He, therefore, strongly supported the new petition, and even though Keogh arrived at the meeting before the division was taken, O'Connell carried the majority with him. " Mr. Keogh was mortified," says Sheil, " but his infirmities, without reference to any pain he may have suffered, were a sufficient inducement to retire from the stage where he had long performed the principal character with such just applause."

The petition was accordingly drafted, and O'Connell's name for the first time comes into prominence as one of its promoters. Henceforward the Catholic movement passed more and more decisively under O'Connell's direction. Though it was some years before he had attained his immense popularity with the peasantry, and had created, out of a dignified committee, a really formidable democratic agitation, his conduct of the movement quickly brought such vitality into it that it incurred the severest repression by the Government. Having gained a clear ascendancy on the Catholic Committee, O'Connell proceeded to strengthen the whole Catholic organisation. The rapid suppression of his activities by the Government showed how completely different was the attitude adopted by the ruling powers towards Catholics in Ireland and in England. His first step was to establish, in 1810, a series of local Catholic Boards which were to act in connection with the General Committee in Dublin. Within a year the Government had put down the Committee by prosecuting some of its members for violating the Convention Act. O'Connell, showing great skill in circumventing oppressive legislation, then constituted a new Catholic Board on lines which excluded any attribution of a representative character. But the Government was determined to give no latitude to the Catholics in creating an organisation to assert their rights. It encouraged the formation of Protestant societies, which proceeded to intimidate the Catholics by physical violence and brutality ; and it dealt ruthlessly with the press when it dared to side with the Catholics in their struggle to achieve their political rights. Such was the

situation in Ireland when the Government once again exerted its whole energies towards the repression of the Catholic movement, and when O'Connell, as a young barrister, who had assumed the direction of the Catholic movement, which he intended to galvanise into vastly greater activity than ever before, had to face the full onslaughts of an entrenched and omnipotent Government before he had yet had time to create the national agitation with which he hoped to break its power.

So in the year in which the English Catholic leaders were smarting under the humiliation of the defeat of Grattan's Relief Bill, which embodied their policy of emancipation by compromise, Daniel O'Connell—not yet in his fortieth year, but already recognised more or less generally as the popular leader of the Irish Catholics—was to conduct the famous lawsuit in defence of John Magee, which was to mark the opening of a new phase in the movement towards emancipation. The trial of Magee began on 26th July 1813, within eight weeks of the collapse of the Catholic Relief Bill. Magee was not a Catholic, but it was around an article in his newspaper, the *Dublin Evening Post*, that the prosecution turned. Alone among the daily newspapers in Dublin, the *Evening Post* openly sided with the Catholics and published the accounts of their proceedings. Magee was to pay dearly for his generosity in espousing their cause ; and although the Catholics briefed O'Connell to conduct his case, and did their best to indemnify him against financial loss, it is extremely improbable that Magee, or anyone else, would have faced what he had to suffer for the Catholic cause if he could have foreseen the consequences. As a newspaper proprietor he had seen the possibilities of providing an organ of the Catholic movement, and in its comments upon the politics of the day his paper had attacked the Viceroy, the Duke of Richmond, in language which did not go beyond the usual scope of political controversy at the time. But any Catholic advocate who dared to attack Dublin Castle a hundred years ago was exposing himself to relentless and organised reprisals,

with the whole resources of the Government at their back. What that meant in practice was shown again and again during O'Connell's career as leader of the Catholics ; and the trial of Magee is only an outstanding example among many other trials conducted under similar conditions. A prosecution was accordingly instituted against Magee, as proprietor of the newspaper which had libelled the Lord-Lieutenant ; and the Attorney-General Saurin—a rabid Protestant careerist who had already come to regard O'Connell with special animosity—announced to the judges that " they would be shocked to hear that the defendant was indicted and charged, by this indictment, with charging the Duke of Richmond with being a murderer." The statement was a gross travesty of what had actually been written in criticism of the Lord-Lieutenant's policy.

As was the usual custom in these cases, the Crown used to the fullest extent its powers of challenging jurors. Not one Catholic was allowed to sit upon the jury, which was in fact " packed " with men who could be relied upon to find a verdict in favour of the Crown. O'Connell was already well accustomed to these methods. He was accustomed to having the jury, as well as the judges, entirely and irrevocably prejudiced against his client before the case began. He was accustomed, too, to the personal vindictiveness with which Saurin proceeded to conduct this case against himself. But the trial of Magee was the most important criminal prosecution in which he had yet been engaged to defend the Catholic case against the Government ; and the excitement which it aroused, and which O'Connell's own conduct of the case intensified to a tremendous pitch, was to make him idolised throughout every Catholic home in Ireland. Recognising the utter impossibility of obtaining a verdict for Magee, and seizing the opportunity presented by a wild attack upon the Catholics which the Attorney-General had delivered in his speech for the prosecution, O'Connell decided boldly to convert the law court into a political arena. With that intensity of passionate conviction which was the combined

result of his intense love of his country and of his religion, he challenged judges, prosecutors, and jury alike with a colossal effrontery, proclaiming publicly—and, by implication, as a scathing reproach to themselves—that no fair trial on a Catholic question could be secured. He undertook, by the sheer domination of his own personality, to intimidate the judges, who could by a stroke of the pen have deprived him of all further practice at the bar.

To reply with such violent counter-attack to the fierce denunciations which the Attorney-General had levelled against himself required magnificent courage as well as an exact perception of how far the Government's displeasure could be safely defied. For Saurin was not only a ruthless and vindictive bigot who had the judges as well as a packed jury on his side. No law officer had wielded so much personal power in Ireland for many years. Lord Wellesley was to refer to him afterwards, in a letter to Lady Blessington, as "an old Orangeman named Saurin, then Attorney-General by title, but who had really been Lord-Lieutenant for fifteen years." When Wellesley arrived as Viceroy in 1821 he decided that Saurin's influence must cease, and he offered him the position of Lord Chief Justice. Saurin refused the offer, believing that his actual position was impregnable. Wellesley then offered him a peerage, which he also refused. "In truth I had nothing else to offer except the Lord-Lieutenancy of Ireland," said Wellesley afterwards. "To that, however, there were two objections: first, *he had already held the office for fifteen years;* and next, I—I was the Viceroy." Wellesley's comments leave no doubt as to the extent of Saurin's influence. That his antagonism to the Catholics was not confined to his forensic speeches was sufficiently shown by a famous letter which he wrote to the Lord Chancellor, Lord Norbury, which a newspaper editor obtained and published at the time. It was a secret exhortation to the old judge that he should use his influence at the assizes to check the progress of the Catholic agitation. The publication of this letter caused consternation in Dublin;

and in the House of Commons Brougham condemned it unequivocally as suggesting that Lord Norbury should " exert the influence of his official situation, whilst going on the circuit as a judge, to mingle himself up with political conversations, and more especially to interfere in the principles affecting the House of Commons as being connected with the return of Members to Parliament."

Such was the unscrupulous temper of the men against whom O'Connell pitted his own genius as an advocate and a popular leader, in a lawsuit in which the whole atmosphere of the court was relentlessly hostile to him. Saurin, with complete confidence in his own power and prestige, had trampled ruthlessly upon the unfortunate newspaper proprietor, who was being tried by a packed jury for no offence, at the dictation of the Attorney-General himself. O'Connell opened his defence on a note of defiance which developed to extraordinary lengths as he proceeded. " Is there amongst you one friend to freedom ? " he exclaimed in a final appeal, seeing that the jury remained adamantine against him. " Is there amongst you one man who esteems equal and impartial justice, who values the people's rights as the foundation of private happiness, and who considers life as no boon without liberty ? Is there amongst you one friend to the constitution ? One man who hates oppression ? If there be, Mr. Magee appeals to his kindred mind, and confidently expects an acquittal. . . . Is there any conscience amongst you ? Is there any terror of violating your oaths ? Be ye hypocrites ? Or does religion inspire you ? If you be sincere, if you have conscience, if your oaths can control your interests, then Mr. Magee confidently expects an acquittal. If amongst you there be cherished one ray of pure religion, if amongst you there glow a single spark of liberty, if I have alarmed religion or roused the spirit of freedom in one breast amongst you, Mr. Magee is safe, and his country is served ; but if there be none, if you be slaves and hypocrites, he will await your verdict, and despise it ! "

Magee's conviction had been a foregone conclusion from

the start. He was sentenced to imprisonment; and by a series of vindictive measures subsequently brought against him he was reduced to poverty, and estranged from the Catholic cause which he had so generously served. But O'Connell's speech was the turning-point in the agitation. It marked the final breach with the obsequious tradition of approaching the Government on bent knees; and it was read and re-read in every corner of Ireland. The people awoke to the fact that a man had arisen from their own number who might yet become their deliverer. At monster Catholic meetings held in many places resolutions of heart-felt thanks to Magee and to O'Connell were passed amid scenes of intense jubilation.

Among those who attended the crowded court to hear O'Connell's defence of Magee was young Mr. Robert Peel, who had come to Ireland as Chief Secretary the year before, and who for years was to be confronted with this formidable adversary. In one passage in his speech O'Connell had turned to address Peel in person, though without mentioning his name, hurling at him a fierce invective for his part in subsidising the Orange newspapers which had incited riots against the Catholics. With all his youthful assurance and ability and his sense of unlimited power, Peel must have had a very uncomfortable ordeal while the denunciation lasted. In a letter afterwards he described O'Connell as "an eloquent and vulgar speaker"; and in writing to Lord Whitworth he gave a graphic account of the trial:

"The trial was very interesting," Peel wrote. "O'Connell spoke four hours, completely, but intentionally, abandoning the cause of his client—I have no doubt with his client's consent—taking that opportunity of uttering a libel, even more atrocious than that which he proposed to defend, upon the Government and the administration of justice in Ireland. His abuse of the Attorney-General was more scurrilous and vulgar than was ever permitted within the walls of a court of justice. He insulted the jury individually and collectively, accused the Chief Justice of corruption and prejudice against

his client, and avowed himself a traitor, if not to Ireland, at least to the British Empire."

But however disdainfully Peel might regard this vulgar demagogue, the trial had given him an opportunity which he had exploited with consummate skill. Henceforward he became the leader of the Catholic movement to an extent unimagined by any previous leader. The old Catholic Committee had, until its suppression, been composed of the Catholic nobility and gentry and the rising class of wealthy merchants ; and the new Catholic Board, which Saurin very soon after the trial suppressed, as he had threatened to do, was composed of similar elements. Its suppression only strengthened the personal ascendancy of O'Connell, who set himself to create a vast democratic movement such as the Government could not hope to coerce. But before the Board had been suppressed another famous incident occurred which, even more than the trial of Magee, was to arouse the whole country to a passionate devotion to O'Connell.

In May 1814, Grattan had presented one of his annual Catholic petitions at Westminster ; but the dissensions among the Catholic leaders over the veto question had been so acute that he announced that he would make no further motion on the Catholic question during the year. When the Irish Catholic Board met in the following January, O'Connell reminded them of this and insisted that the agitation must be vigorously continued. He was convinced that " the Catholic cause had suffered by neglect of discussion. Had the petition been, last year, the subject of debate," he declared, " we should not now see the beggarly Corporation of Dublin anticipating our efforts by a petition of an opposite tendency." This allusion to the " beggarly Corporation of Dublin " was certainly not an exceptionally insulting specimen of O'Connell's style. But it was seized upon by a truculent little Alderman called D'Esterre as the occasion for sending O'Connell a provocative letter asking for an explanation. D'Esterre had special reasons for interfering, though he was not even an official of the Corporation. The

epithet "beggarly" rankled in his mind as a personal affront, because he was one of a group of Aldermen who were known to be on the verge of bankruptcy. He was a curer of beef and pork, and one of the representatives of the Merchants' Guild. He was also a candidate for the position of High Sheriff, which might have assisted his fortunes; and his intervention was probably determined by the fact that he had been the only Alderman who, as a supporter of the Catholic claims, had actually opposed the Protestant petition which O'Connell denounced. It is most likely, therefore, that he felt his election of Sheriff was hopelessly jeopardised by O'Connell's abuse of the Corporation, and that his personal challenge to O'Connell might make him a hero and so restore his prospects of election.

O'Connell, knowing that D'Esterre was the only supporter of Catholic emancipation on the Corporation, refused to discuss the matter. He refused either to admit or disclaim what he was reported to have said concerning the Dublin Corporation, but continued: "I deem it right to inform you that from the calumnious manner in which the religion and character of the Catholics of Ireland are treated in that body, no terms attributed to me, however reproachful, can exceed the contemptuous feelings I entertain for that body in its corporate capacity, although doubtless it contains many valuable persons whose conduct as individuals (I lament) must necessarily be confounded in the acts of the general body." This reply forced D'Esterre's hand. He was a crack shot with a revolver, and as a young man he had shown very remarkable personal courage in the navy. Whether he thought that O'Connell would accept his challenge may be doubted, for O'Connell was well known to be a devout and scrupulous Catholic, and his religious principles might prevent him from fighting a duel. But O'Connell came of a pugnacious stock, and his own temperament made him incapable of submitting to an insult. There was a whole series of duels—most of which ended farcically—in his early career, including his acceptance of

a challenge from Robert Peel himself in Dublin. At any rate he was determined not to tolerate any insult from D'Esterre.

Matters remained in doubt for several days, until D'Esterre announced his intention of going to the Four Courts with a horsewhip to chastise O'Connell. On the afternoon of 31st January the little man, surrounded by his friends, did actually set out on foot towards the Courts, ostentatiously carrying the whip with which he intended to assault the gigantic figure of O'Connell. Rumours of the encounter had spread quickly, and the streets were filled with an excited crowd. O'Connell, busy at the Courts, heard of D'Esterre's arrival, and immediately went out to meet him ; but D'Esterre had vanished mysteriously when he appeared, and he retreated to the shop of one of his friends in Grafton Street, which O'Connell must pass on his way home. Every window in the adjoining streets was quickly crowded with spectators, and on the balcony of the house where D'Esterre had retired with his horsewhip were many of his illustrious friends, including Sir Charles Vernon, who was Chamberlain to the Lord-Lieutenant, and the editor of the *Dublin Journal*. But when O'Connell presently returned from the Courts, he was surrounded by a devoted bodyguard of enthusiastic supporters, and their boisterous arrival induced D'Esterre to retreat once more into the back premises of the shop.

Not until the following day was the challenge to a duel formally delivered to O'Connell's second—a Protestant landlord from County Clare, Major Macnamara. O'Connell had instructed Macnamara to have the business settled immediately. And so within four hours O'Connell and D'Esterre had met in a field across the borders of County Dublin, in County Kildare. More than an hour passed before the duel could begin, owing to delay on the part of D'Esterre, and news of the duel had spread very quickly. The hill which overlooked the field was soon black with people from the adjacent villages, and it became clear that if O'Connell was to be killed, no power on earth could avoid

a sanguinary conflict afterwards. O'Connell had come under one heavy disadvantage. No priest could accompany him from Dublin to administer the last sacraments if he was mortally wounded. But his friends had found a suspended priest, Father O'Mullane, whom they brought with them to wait close at hand, prepared to exercise his rights of giving absolution before death in case of need. Macnamara, on the other hand, had brought friends from Dublin Castle itself, including the deputy Surgeon-General of the Dublin Garrison. News of O'Connell's departure from Dublin had spread like wildfire ; and before even the duel was fought a rumour was current that O'Connell had been shot. A squadron of dragoons was despatched in all haste to protect the return of D'Esterre and his titled friends ; and as they dashed to the scene of the duel they met the carriage in which O'Connell and his brother were returning from the field. The duel had taken place, and D'Esterre had been mortally wounded by O'Connell's first shot, while his own bullet fell at O'Connell's feet. The dragoons dashed on, unaware that it was O'Connell's brother who had answered their peremptory demand for news of what had occurred. O'Connell had, in fact, had a miraculous escape from a crack shot, to whom he had presented a target at least double his own size. He did not know how seriously D'Esterre had been wounded, and it was two days before he died. Immediately on his return he had sent his brother James to see Dr. Murray, the coadjutor to Archbishop Troy, to express his infinite regret at having fought the duel, and his explanation that it had been unavoidable.

" Heaven be praised ! Ireland is safe," is what Dr. Murray is reported to have exclaimed on hearing the news. And in Dublin the Catholic population exulted madly. Bonfires were lit in the streets that night, and surging crowds shouted exultantly. But when he heard of D'Esterre's death, O'Connell was overwhelmed with remorse. He wrote at once to his widow offering to share his income with her ; and though this was refused, he heard long afterwards, in the

height of his fame, that she was concerned in a lawsuit which meant a great deal to her financial position. Throwing up all his briefs, O'Connell hurried without a moment's delay across Ireland to Cork, to undertake the conduct of her case, and succeeded in winning it for her. And it was one of the most characteristic attitudes of his life that in after years he would never go to Holy Communion without wearing a white glove to cover his right hand, which had been guilty of the death of D'Esterre.

CHAPTER XVI

THE IRISH AGITATION AGAINST THE VETO

While the duel with D'Esterre was a constant source of reproach to O'Connell himself, there is no doubt, as his biographer, Mr. Michael MacDonagh, has stated, that "from that day dated his real power and influence as the Tribune of the Irish people." He had actually risked his life, in the clearest possible way, on their behalf, and the fact added a touch of chivalry to the heroic character which he had already come to possess in their eyes. The duel, in fact, occurred at a time when O'Connell had to set his own power as a demagogue against the prestige of Henry Grattan and the combined influence of the most important members of the Catholic aristocracy. Acute dissension had broken out in the Irish Catholic Board, where many of the titled gentry had already taken up the same attitude towards the question of the veto as the aristocratic Catholic Board in England. Once again the Irish Catholic peers were to secede from the Catholic movement, just as Lord Kenmare had seceded from it when the more active policy of John Keogh and Wolfe Tone had frightened them twenty years earlier.

In the present case they had a more definite reason for secession. The Canning-Castlereagh clauses of Grattan's Bill in 1813 had provided for the establishment of a commission to censor the appointment of Irish bishops, which was to be dominated by Catholic peers. They accepted the temptation, which would have at once given them political emancipation and a direct influence over the appointment of bishops such as they had never contemplated before. The most active among the Irish Catholic peers had been Lord Fingal, and it was to Lord Fingal that Lord Grenville had

written the letter which was the basis of the famous " Fifth Resolution " at the St. Alban's Tavern in 1808. But though he remained on intimate terms with the democratic Catholic movement in Ireland, Lord Fingal now took fright when O'Connell in 1815 proposed that the only alternative to further compromising negotiations was to create a new agitation in favour of *unqualified emancipation*, and to repudiate all further talk of " securities." In company with other Catholic peers, and with the support of so staunch a democrat as Richard Lalor Sheil, Lord Fingal led out a group of " seceders," who left the Catholic Board to O'Connell's undisputed control.

These dissensions had already come to a head when O'Connell addressed his first Catholic meeting after the duel with D'Esterre. In one of his most memorable speeches, he summed up the situation with vivid clearness : " There is further encouragement at this particular crisis," he said. " Dissension has ceased in the Catholic body. Those who paralysed our efforts, and gave our conduct the appearance and reality of weakness, and wavering, and inconsistency, have all retired. . . . But I rejoice at this separation—I rejoice that they have left the single-hearted, and the disinterested, and the indefatigable, and the independent, and the numerous, and the sincere Catholics to work out their emancipation unclogged, unshackled, and undismayed. They have bestowed on us another bounty also—they have placed out of doubt the cause of the divisions. It is not intemperance, for that we abandoned ; it is not the introduction of extraneous topics, for those we disclaimed ; it is simply and purely, Veto or no Veto—restriction or no restriction—in other words : it is religion and principle that have divided us ; thanks, many thanks to the tardy and remote candour of the seceders, that has at length written in large letters the cause of their secession—it is the Catholic Church of Ireland—it is whether that Church shall continue independent of a Protestant ministry or not. We are for its independence—the seceders are for its dependence.

" I close with conjuring the Catholics to persevere in their present course," he said in conclusion. " Let us never tolerate the slightest inroad on the discipline of our ancient, our holy Church. Let us never consent that she should be made the hireling of the ministry. Our forefathers would have died, nay, they perished in hopeless slavery, rather than consent to such degradation. Let us rest upon the barrier where they expired, or go back into slavery, rather than forward into irreligion and disgrace! Let us also advocate our cause on the two great principles—first, that of an eternal separation in spirituals between our Church and the State; secondly, that of the eternal right of freedom of conscience—a right which, I repeat it with pride and pleasure, would exterminate the Inquisition in Spain, and bury in oblivion the bloody Orange flag of dissension in Ireland."

During his stay in Rome, Milner had received from Dr. Moylan, of Cork, his old friend and ally, a letter of such emphatic and complete sympathy with his own views in opposing the veto proposals, that it must be quoted as a sample of what the Irish bishops felt upon the issue which had now separated the Irish aristocrats from the democracy who, under O'Connell's leadership, proclaimed their demand for unconditional emancipation:

" My Dear and Honoured Lord,

" I am the oldest of the Catholic Prelates in this kingdom, and expect soon to appear before the awful Tribunal of the Almighty Judge, in whose sacred presence I solemnly declare, that *any compromise made or control whatever given* to our Protestant Government, or ministers, in the appointment or nomination of the Catholic bishops or clergy of this kingdom, *or any interference whatsoever*, or influence over them, in the exercise of their spiritual functions, will eventually lead *to the subversion of our venerable hierarchy*, and in consequence *to the ruin of the Catholic religion* in this long-suffering and oppressed

Catholic country. It would most certainly cause the greatest dissatisfaction in the minds of the Catholic body, lessen their attachment and respect to the Holy See, and by degrees dispose them for every bad change. But under our present enlightened and most venerable Pontiff, we have nothing to apprehend."

This remarkable document may be regarded almost as the last testament of the old bishop, who in 1799 had, in a moment of weakness, succumbed to the insinuating diplomacy of Lord Castlereagh. He died within two years of writing it, at the age of eighty.

Apprehensions did, indeed, arise soon enough when a letter from Cardinal Litta was received by Dr. Poynter in April 1815, which conveyed the decision of the Pope on three important matters : the oath to be taken by the Catholics ; the manner of appointing bishops ; and the examination of rescripts, briefs and ordinances from the Sovereign Pontiff. Three forms of oath were given, any one of which the Pope declared to be permissible. In regard to appointing bishops, the Pope sets forth the only terms which could be admitted " after rejecting all those which have hitherto been proposed." If emancipation should be granted, he would allow " those to whom it appertains to present to the King's Ministers a list of candidates, in order that if any of them should be obnoxious or suspected the Government may immediately point him out, so as that he may be expunged, care, however, being taken to leave a sufficient number for His Holiness to choose therefrom." Once emancipation had been actually granted, the Pope " intends finally to give solemn permission to the Catholics respecting the points above stated, relative to the election of bishops." Finally, the letter declared that the suggested examination of Papal rescripts, etc., " could not even be made a subject of negotiation." This letter had actually been shown to Milner and Dr. Murray in Rome, and they had refused to bring it back themselves. There was considerable delay over its publica-

tion, and rumours began to spread that the Pope had, in fact, approved of arrangements similar to those contained in Grattan's Bill of 1813.

All over Ireland this fear that the Holy See had been brought round to the view of the English Catholic aristocracy awoke an indescribable commotion. The Catholic people went far ahead of the Irish bishops in refusing to submit to any sort of interference by the Government with their appointment; and O'Connell, who personified their hopes and their fears, himself gave the lead to an extraordinary agitation for the protection of the episcopate against the designs of the Government. The peers who followed Lord Fingal had already seceded from the Irish Catholic Board, and O'Connell's leadership in its counsels was now completely undisputed. At a meeting of the Board he made a furious protest against what he described as "the attempt made by the slaves of Rome to instruct the Irish Roman Catholics upon the manner of their emancipation," and in an outburst which has since become proverbial among Catholics all over the world he declared: "I would as soon receive my politics from Constantinople as from Rome. For the head of my Church I have the highest respect; but in the present case I put theology—of which I know nothing, and desire to know nothing—out of my consideration wholly. It was on the ground of its danger to civil liberty that I objected to the late Bill. It would have the effect, if passed into law, of placing in the hands of the Ministers a new and extensive source of patronage, and for that reason I would rather the Catholics should remain for ever without emancipation than that they should receive it upon such terms."

While excitement concerning the veto was at its height, the Government intervened to suppress the Catholic Board, which could no longer shelter behind the patronage of its titled supporters. But the agitation had already become so entirely dependent upon O'Connell's personal activities that the suppression made no difference. There was not even a quorum for the meeting which was ordered by the

Lord-Lieutenant's proclamation to disband; and although O'Connell denounced the proclamation as being illegal, and announced his intention of holding the meeting if the necessary number of members arrived, only one more meeting of it took place, which adopted his own suggestion of employing the new and much more effective method of holding "aggregate meetings." The Convention Act, under which it was sought to disband the Catholic Board, prohibited the assembly of any group of delegates from the Catholic body. O'Connell's case against the proclamation was that the members of the Board were not delegates, but individuals meeting on their own sole responsibility. But the time for such legal controversies had passed. O'Connell had already created, by his own prodigious energy and enthusiasm, such a popular movement that a Committee would only restrict his activities; and henceforward the agitation went forward on different lines. "Aggregate meetings" against which no legislation had been, or could well be introduced, were held week after week in every part of the country. And for nearly ten years, until his differences on the veto question with his principal colleague, Richard Lalor Sheil, had been composed, O'Connell was obliged to conduct the agitation almost single-handed. It was only by his enormous success at the Bar—where he remained a junior, since he was still prevented, as a Catholic, from becoming a King's Counsel—that he was able to earn an income which made it possible for him to devote so much time and energy to the Catholic cause. Within four or five years from his being called to the Bar his income was already very considerable. It then grew very rapidly; and from the time of the Magee trial he earned a much larger income than any other barrister.

O'Connell could still count upon several well-known members of famous Catholic families. In January 1815 one of the first great aggregate meetings was held in Dublin, at which the O'Conor Don presided. Bishop Murray had returned from Rome with reassuring accounts of his mission

there with Milner. But there were still grounds for grave anxiety about the veto. In Clarendon Street O'Connell made a deliberately truculent speech to inspire courage in his followers: "Let our determination never to assent reach Rome," he exclaimed. "It can easily be transmitted there. But even should it fail, I am still determined to resist. I am sincerely a Catholic, but I am not a Papist. I deny the doctrine that the Pope has any temporal authority, directly or indirectly, in Ireland. We have all denied that authority on oath, and we would die to resist it. His Holiness cannot therefore be any party to the Act of Parliament we solicit, nor shall any Act of Parliament regulate our faith or conscience.

"Yes, as our former prelates met persecution and death without faltering," he went on, "the bishops of the present day will triumph over the treachery of base-minded Catholics and insidious Ministers of Government. Even should any of our prelates fail, which I do not and cannot believe, there is still a resource left. It is to be found in the unalterable constancy of the Catholic people of Ireland. If the present clergy shall descend from the high station they hold to become the vile slaves of the clerks of the Castle—a thing I believe impossible—but should it occur, I warn them in time to look to their masters for their support, for the people will despise them too much to contribute. The people would imitate their forefathers. They would communicate only with some holy priest who never bowed to the Dagon of power, and the Castle clergy would preach to still thinner numbers than attend in Munster or in Connaught the reverend gentlemen of the present Established Church."

But O'Connell knew well that some form of veto was being quite seriously considered in Rome. There was no doubt whatever that Castlereagh and other British Ministers had been able to exercise very considerable influence upon the Holy See as time went on. And so in late August 1815 the Irish bishops met and passed the following five strongly worded resolutions:—

"Resolved—That it is our decided and conscientious conviction that any power granted to the Crown of Great Britain of interfering, directly or indirectly, in the appointment of bishops for the Roman Catholic Church in Ireland, must essentially injure, and may eventually subvert, the Roman Catholic religion in this country.

"Resolved—That with this conviction deeply and unalterably impressed on our minds, we should consider ourselves as betraying the dearest interests of that portion of the Church which the Holy Ghost has confided to our care, did we not declare most unequivocally that we will at all times, and under all circumstances deprecate and oppose, in every canonical and constitutional way, any such interference.

"Resolved—That though we sincerely venerate the Supreme Pontiff, as visible Head of the Church, we do not conceive that our apprehensions for the safety of the Roman Catholic Church in Ireland can or ought to be removed by any determination of His Holiness, adopted, or intended to be adopted, not only without our concurrence, but in direct opposition to our repeated Resolutions, and the very energetic Memorial presented on our behalf, and so ably supported by our deputy, the Most Rev. Dr. Murray, who in that quality was more competent to inform His Holiness of the real state and interests of the Roman Catholic Church in Ireland, than any other with whom he is said to have consulted.

"Resolved—That a declaration of these our sentiments, respectful, firm and decided, be transmitted to the Holy See, which, we trust, will engage His Holiness to feel and acknowledge the justness and propriety of this our determination.

"Resolved—That our grateful thanks are due, and hereby given to the Most Rev. Dr. Murray, and the Right Rev. Dr. Milner, our late deputies in Rome, for their zealous and able discharge of the trust reposed in them."

A few days later O'Connell assembled a great Catholic

meeting in Dublin, which expressed profound gratitude to the bishops for the attitude they had adopted. They passed with immense enthusiasm several resolutions which O'Connell himself had drafted. More and more as the year proceeded, O'Connell found that entire responsibility for the direction and encouragement of the movement fell upon himself. There was no room for hesitation or weakness or divided counsels, and before long in the same year he was repudiating an appeal to timid counsels in favour of which the name of Grattan had been invoked. "I cannot conclude without deprecating any declamation on the merits of Mr. Grattan," he said. "No man can be more sensible of those merits than I am. I recall to mind his early and his glorious struggles for Ireland. I know he raised her from degradation, and exalted her to her rank as a nation. I recollect, too, that if she be now a pitiful province, Grattan struggled and fought for her whilst life or hope remained. I know all this, and more ; and my gratitude and enthusiasm for those services will never be extinguished. But I know, too, that, to use his own phrase of another, 'he was an oak of the forest, too old to be transplanted.' I see with regret that, except his services in our cause, he has since the Union made no exertions worthy of his name and his strength. Since he has inhaled the foul and corrupt atmosphere that fills some of the avenues to Westminster, there have not been the same health and vigour about him. He seems to have forgotten his ancient adorations."

And before long the sequel to the Quarantotti Rescript was to arouse a fierce resentment throughout Ireland against the veto and against the English Catholics, in which O'Connell, even more than the bishops, becomes the spokesman of the Irish Catholics.

CHAPTER XVII

PLUNKETT'S VETO BILL AND BISHOP DOYLE

But while defiant resolutions against the veto were being passed at aggregate meetings, the agitation for Catholic emancipation was falling into a lamentable state. The old movement which O'Connell had tried to galvanise into new life was being disintegrated and demoralised in spite of all his herculean efforts. The leaders had split into two rival camps—one meeting at Lord Trimleston's house to support the " emancipation with securities " policy which Grattan had made his own ; the other, led by O'Connell, relying upon Sir Henry Parnell to conduct their case for unconditional emancipation. O'Connell's son declares that his father always regarded this as the most trying period of his life. " By no kind of means, by no manner of exertion—and he *did* look about for means, and *did* use a thousand exertions—could he arouse the Catholics to action, or even to a defensive position. For more than two years a moral lethargy, a faint-hearted and hopeless apathy, hung over the country, and with the exception of himself, scarce anyone was in the field for Ireland."

In England also the despondency and reaction which had followed upon the veto controversy was no less deplorable. The abysmal lack of confidence of the English Catholics at the time may be gathered from the petition which they presented to Parliament in 1816. It recalled the previous petitions that had been presented, and expressed themselves as being " truly grateful for the full and benign discussions which their petitions had received." Grattan, since the previous year, had become irrevocably committed to the veto proposals ; and it was his flat refusal—repeated several times—to present a petition on behalf of the Irish Catholics

in that year, unless they would adopt what he called a "conciliatory" attitude towards the veto, that led to the open breach between him and O'Connell. Henceforward Grattan's activities on the Catholic question were devoted to upholding the Irish "seceders" and the English Catholic Board against the demands of the new movement led by O'Connell. It was no wonder, in face of such dissensions in the Catholic body, that Parliament felt no further anxiety about the question of granting them relief—at a time when the conclusion of a protracted war had removed all fears and brought a sudden temporary prosperity. So effectively, in fact, had the intrigues of Castlereagh succeeded in producing discord among the Catholics, whose pressing demands for emancipation had been for long a real source of embarrassment. From demanding their political rights, they had now become concerned with nothing but their own conflicting views as to what concessions might be granted; and the Government's own proposals had held out to the Catholic landowners an opportunity of exercising control over the Catholic bishops themselves. How strong was the opposition of O'Connell and his friends to any such proposal was shown by the "Conciliating Committee," which he formed in 1817, to heal the existing differences. The Committee resolved—while the usual petitions for Catholic rights were being prepared or presented to the Houses of Parliament—that "we should not receive as a boon any portion of civil liberty, accompanied by that which the Catholic prelates and people of Ireland had condemned as essentially injurious, and probably destructive of our religion; and we do solemnly declare that we infinitely prefer our present situation in the State to any emancipation which may be directly or indirectly coupled with the veto." These were plain words, showing extraordinary courage on O'Connell's part; for they committed him—while he was making colossal efforts to keep the Catholic agitation alive—to a policy of repudiating each successive attempt that was being made in Parliament by

the Protestant supporters of the cause to reduce the slender majority of those who still resisted the Catholic demands.

And in 1818 there followed a development of the veto controversy which threw O'Connell into a forlorn but unflinching opposition, not only to his would-be allies in Parliament, but to the Holy See itself. Three years previously, when the Irish bishops had protested so vigorously against any interference by the Government, a deputation had been appointed in 1815 by the Irish Catholics to go to Rome, consisting of Sir Thomas Esmonde, Mr. Owen O'Conor, and the Franciscan Father Richard Hayes. The two laymen had declined this daring task of going to Rome to dictate to the Holy See; but the Franciscan friar had bravely gone there alone. Some idea of the spirit which prompted his mission may be gathered from the extraordinary address to Pope Pius VII, which he was commissioned to present on behalf of the Irish Catholics. O'Connell himself had drafted it, and it was signed by Sir Thomas Esmonde, who had presided over the aggregate meeting at which it had been carried with acclamation. The intensity of feeling among Irish Catholics on the subject of the veto, and their refusal even to consider any act of emancipation which involved such a concession, is apparent in the following passages of the resolution :—

" We feel that we should be wanting in the practice of that candour which it is our pride to profess, were we not further to inform your Holiness that we have ever considered our claims for political emancipation to be founded upon principles of civil policy. We seek to obtain from our Government nothing more than the restoration of temporal rights; and must most humbly, but most firmly, protest against the interference of your Holiness or any other foreign prelate, State, or potentate, in the control of our temporal conduct or in the arrangement of our political concerns.

" We therefore deem it unnecessary, Most Holy Father, to state to your Holiness the manifold objections of a political nature which we feel towards the proposed measure. We

have confined ourselves in this memorial to the recapitulation of objections, founded upon spiritual considerations; because as, on the one hand, we refuse to submit our religious concerns to the control of our temporal chief, so, on the other hand, we cannot admit any right on the part of the Holy See to investigate our political principles, or to direct our political conduct, it being our earnest desire and fixed determination to conform at all times and under all circumstances to the injunctions of that sacred ordinance which teaches us to distinguish between spiritual and temporal authority, giving unto Cæsar those things which belong to Cæsar, and unto God those things which belong to God.

"Thus, then, Most Holy Father, it appears, while this obnoxious measure is opposed by every order of our hierarchy, that we, for whose relief it purports to provide, feel equally ardent and determined in our resistance to it, solemnly declaring, as we now do, that we would prefer the perpetuation of our present degraded state in the Empire to any such barter, or exchange, or compromise, of our religious fidelity and perseverance."

The arrival in such circumstances of Father Hayes had greatly displeased Cardinal Consalvi, the Papal Secretary of State; and in a very unequal contest — with Lord Castlereagh doing all in his power to win the Cardinal's sympathies — Father Hayes was soon in troubled waters. After two years, during which his vehemently anti-English attitude discredited his pleadings against the veto, Father Hayes was suddenly ordered to quit Rome, and on refusing to leave, was expelled by a military guard. In the last weeks of 1817 he arrived disconsolately in Dublin, and the Catholics, whose incompetent agent he had been, had to consider their further course of action. They decided to send a second remonstrance to the Pope, and in the following June a reply expressed in paternal language was received in Dublin. On the matters of principle which had been raised, the Pope showed a real sympathy with the anxieties of the Irish Catholics. In regard to their protests concerning the treatment

of Father Hayes, his reply was an unqualified rebuke. It complained that he had abused the hospitality of Rome, that he had shown " arrogance and audacity," and finally his published report of his mission to the Pope was denounced as being " full of falsehood and calumnies." Father Hayes accepted the rebuke with exemplary submission to the Holy See, but added certain explanations, showing how far the Pope had been prejudiced against him by the agents and friends of the English Catholics and the Government in Rome.

With that dismal fiasco to crown their zealous efforts against the veto, the Catholics of Ireland relapsed more and more into a despondent and listless state. O'Connell alone persevered, but without being able to make any headway. The usual petitions were presented each year in the House of Commons without securing even the majority that they had had in 1813 ; and by 1820—when George III died, and his son came to the throne—O'Connell wrote in a memorable letter to the editor of the *Dublin Evening Post*, " I think we are on the eve of another struggle, to preserve from all encroachment the discipline of the Catholic Church in Ireland. I may be mistaken, but it is my firm and decided belief that the greatest peril which the Church has in these latter years encountered now awaits her. I may also be laughed at for raising the cry of ' the Church in danger ' ; but I am quite content to endure any portion of ridicule, provided I am of any utility in rousing the Catholic people from the destructive apathy in which they are now sunk."

O'Connell's fears were fully justified. The following year, 1821, was to witness the most serious danger that had yet arisen, of a Bill being actually carried through Parliament which would have given to the Government, with the approval of the English Catholic Board, the power to veto the appointment of Catholic bishops. Henry Grattan died soon after O'Connell's letter appeared, having displayed to the very end of his life his earnest desire, as a Protestant, to bring about the concession of Catholic rights. Ill-health had again and again come between him and his public

career ; and in his last illness he showed the same indomitable spirit as he had displayed during the debates before the Act of Union. On his death-bed he told Charles Butler that he intended to be carried into the House of Commons to speak once more in a final plea on behalf of Catholic emancipation. But death prevented the fulfilment of his last generous ambition. Grattan's place as the leading spokesman of the Catholic claims was taken by William Plunkett, who now brought in a Bill for the removal of all the principal Catholic disabilities, on conditions to which the Irish Catholics were irreconcilably opposed. There were, as usual, two Bills to be carried concurrently by Parliament. The first was to grant Catholic emancipation on condition that a new oath of allegiance was taken. The second Bill provided for the " securities " which were intended to placate the Protestant opposition. The " securities " had, indeed, been modified by a more favourable composition of the proposed commissions to exercise a veto upon the appointment of bishops. The two commissions, for England and for Ireland, were to include one Chief Secretary of State and other Privy Councillors, but all the rest were to be Catholic bishops themselves. Objections were immediately raised by the bishops against the Oath of Supremacy, and during the Committee stage such modifications were inserted in the Bill that even the Irish bishops issued a statement saying that the oath could now be taken by Catholics. But the provisions in the Securities Bill provoked fierce opposition. The Irish hierarchy generally declared their protest in moderate terms, but some of them held the strong views in opposition which were expressed by Dr. Kelly, the Archbishop of Tuam, who even declared the Bill was " infinitely more objectionable than that of 1813." On the veto question the whole Irish hierarchy were as determined as ever, and they denounced even the new proposals as vesting in the Crown " an unlimited negative in the appointment of bishops, a power as appears to us equivalent in its terms to a right of positive nomination."

But by this time the Irish Catholics had lost all hope of winning emancipation in Parliament, except on terms which involved what they regarded as apostasy. O'Connell issued at the beginning of 1821 a declaration in which he appealed to the Irish people to abandon for the present all efforts to obtain emancipation until they had secured the Repeal of the Act of Union, and so won what he regarded—not without reason—as the indispensable condition of success. But as the Relief Bill proceeded in Parliament he issued another address on St. Patrick's Day, in which, while taking no responsibility for the Bill or its prospects at Westminster, he declared his belief that at any rate the Oath of Allegiance it contained might now be conscientiously taken. The Bill passed its second reading in the House of Commons by 230 votes to 216 ; and in the later stages it was again carried through the Commons, though by smaller majorities. But the House of Commons was still far from possessing the authority that could compel the Lords to accept what they considered necessary. The Duke of York, as Heir-Presumptive to the Throne, and Lord Liverpool as Prime Minister, both intervened at once with speeches expressing their vehement opposition ; and after two days' debate the House of Lords once again slammed the door in the face of the Catholics by a vote of 159 votes against 120.

Writing in retrospect, at the climax of the Irish Catholic agitation in 1829, Richard Lalor Sheil conveys a vivid picture of the lethargy that had existed only six years before. " In 1823," he wrote, " an entire cessation of Catholic meetings had taken place. There was a total stagnation of public feeling, and I do not exaggerate when I say that the Catholic question was nearly forgotten. No angry resolutions issued from public bodies ; the monster abuses of the Church Establishment, the frightful evils of political monopoly, the hideous anomaly in the whole structure of our civil institutions, the unnatural ascendancy of a handful of men over an immense and powerful population—all these, and the other just and legitimate causes of public exasperation were

gradually dropping out of the national memory. The country was then in a state of comparative repose, but it was a degrading and unwholesome tranquillity. We sat down like galley-slaves in a calm. A general stagnation diffused itself over the national feelings. The public pulse had stopped, the circulation of all generous sentiment had been arrested, and the country was palsied to the heart."

Only a miracle, it seemed, could rouse the Catholics again to assert their rights, from the dismal dejection in which they were submerged. O'Connell had been before the country for more than fifteen years. Even the spell of his own genius seemed to be broken irretrievably. Only the emergence of new leaders, it appeared, could inspire a new enthusiasm and a new life. And in the spring of 1823 a new leader did in due time unexpectedly appear in the person of Dr. Doyle, the young Bishop of Kildare and Leighlin. The publication of his pamphlet addressed to the Lord-Lieutenant was to arouse more sensation than any tract of its kind since the days of Edmund Burke, and was to make the signature J. K. L. (John, Kildare and Leighlin) a symbol of new courage and new hope from that time forward. Dr. Doyle was the youngest member of the Irish hierarchy. He had been born in the autumn of 1786, eight years after the first important Act had been passed to afford relief to the Irish Catholics, and when the independence of Grattan's Parliament had already been successfully vindicated for four years. He was still a small boy when the Act of Union had been carried and Pitt's promises of Catholic emancipation proved to be incapable of realisation. And when he entered the novitiate of the Augustinian Convent in 1805, the gloom of despair had settled upon those who had looked for freedom in the years of his childhood. But the effect of partial relief had wrought rapid changes in the position of the Irish Catholics during the years of his early priesthood. By the time he was selected, at the age of thirty-three, to succeed Dr. Corcoran as Bishop of Kildare and Leighlin, a new generation had grown up, more confident

and better equipped for the assertion of the Catholic claims, which found in him its own particular spokesman. Educated at the College of Coimbra, in Portugal, Dr. Doyle had come back to Ireland as a young theologian of extraordinary intellectual capacity and promise. His intensely ascetic temperament, his tireless industry, his immense learning and his unbounded sympathy for the poor, combined to secure him recognition as by far the ablest and most representative member of the Irish hierarchy, from a very short time after his appointment to the bishopric.

So, when his *Vindication of the Religious and Civil Principles of the Irish Catholics, in a Letter addressed to the Marquis Wellesley, by J. K. L.*, was published in the spring of 1823, its appearance led immediately to a storm of controversy. Its bold and uncompromising statement of first principles brought to the dispirited Catholic body new hope at a time of almost complete despondency ; and its direct challenge to the position of the Protestant ascendancy provoked indignant and amazed rejoinders from the Protestant theologians and prelates. They had for some years been specially active in their propaganda against the religion of Rome. It was, indeed, the controversial propaganda of Archbishop Magee that had first brought Dr. Doyle from the obscurity of his episcopal duties into the arena of public controversy. When Lord Wellesley was appointed Viceroy in 1821 and inaugurated a more liberal policy, by displacing the Attorney-General Saurin and other diehards of the previous regime, Archbishop Magee had been encouraged by the Viceroy, who believed that he was a man of liberal principles. But the Archbishopric diverted his energies to theological controversy of a kind that produced intensely bitter feeling.

Having been subjected for generations to a persecution which was aimed primarily at depriving them of political rights and economic power, the Catholics were now confronted with a deliberate proselytising movement which Magee, as its principal organiser, described as " the Second

Bishop Doyle

Reformation." A new campaign with the object of seducing Catholics from their religion was organised among the more religiously minded of the Irish Protestants ; and Magee, in a series of theological dissertations, urged upon his followers the duty of freeing Ireland from " the trammels of a slavish superstition." Under active encouragement from Archbishop Magee and other highly placed ecclesiastics, so-called philanthropic societies grew quickly with the deliberate object of proselytising among the Catholic population. No opportunity of making converts was neglected ; the poverty or particular embarrassments of Catholic families was watched and exploited with a bland sense of responsibility for redeeming them from ignorance and superstition. The possibility of making them repudiate their ordinary obligation to abstain from meat on Fridays was particularly exploited ; so that the " soup-kitchens " came to be regarded almost exclusively as existing for the purpose of making destitute Catholics break the laws of abstinence.

But while the Irish hierarchy were thus severely strained—in years of extreme depression, during which the Catholic population multiplied with utter disregard for the prospects of a decent livelihood—to maintain the discipline of their flocks against this shameless campaign by zealous Reformationists to exploit their poverty, it was the theological pretensions of Archbishop Magee, scarcely less than this unscrupulous exploitation of human misery, that had aroused the indignation of the youngest of the Irish bishops.

Within a few days of one of Archbishop Magee's more conspicuous utterances, at St. Patrick's Cathedral in the autumn of 1822, Dr. Doyle had been provoked to replying to him on level terms. No priest or bishop in Ireland was more desperately overworked ; but when his emotions were aroused, there was no effort from which Dr. Doyle would shrink, in addition to his already overwhelming occupations. The open letter to Archbishop Magee which resulted, was the first revelation to the Irish people of what a dynamic personality had entered the Catholic episcopate. Writing

both as a theologian and as the pastor of a downtrodden community, " J. K. L." responded to the Protestant Archbishop's challenge with an unhesitating defiance such as no previous generation had witnessed in Ireland for centuries. It was the voice of the new generation suddenly finding expression, almost before it had realised that it had gained courage enough to assert itself.

During the twenty years since the Act of Union had been carried, the Catholics had advanced so far in practical liberty and in the consolidation of their strength that cathedrals were already beginning to arise where, a generation earlier, the clergy had been compelled to conduct religious services in obscure places and with a suggestion of secrecy which lingered long after freedom of religious worship had been legally recognised. Three years after the Act of Union, and when Pitt's failure to introduce Catholic emancipation had cast the deepest gloom over the prospects of further relief, the Catholics of Dublin had actually bought for £5100 the mansion of Lord Annesley in Marlborough Street as the site for the proposed cathedral. It was not until the year of Waterloo that the committee collected money enough to commence building on the site, and it took ten years more before the ceremony of consecration could take place. Every available member of the Catholic hierarchy came to take part in it, and the sermon was preached by Bishop Doyle. To the older bishops present this public consecration of a Catholic cathedral in Dublin must have seemed almost incredible. But Dr. Doyle represented the newer generation, which was undismayed by the obstacles that had kept their elders in subjection so long. Even in his own wretchedly poor diocese he was able to lay the foundation-stone of a cathedral at Carlow on Easter Monday, 1828. No one else but " J. K. L.," it is true, would have attempted so wildly ambitious an undertaking. He had no resources whatever when he took the work in hand ; and even the proposal to have a brick church had been for long regarded as an impossibility. But the bishop had complete faith in divine

assistance for his enterprise ; and though he died within six years from that date, he was to officiate on many occasions in the cathedral before his death.

The very fact that cathedrals had thus begun to arise, before the Catholic Emancipation Act of 1829 seemed even a possibility, showed what immense progress had been made by the Catholics in the thirty years since the Relief Act had been forced through Grattan's Parliament. " Do you see those wretched mud walls ? " the parish priest of Kildare had said to Dr. Doyle on his first visitation to the village of Allen ; " they are the ruins of the episcopal palace of one of your predecessors." And, in 1824, in reply to accusations brought against the Irish priesthood by Mr. North, Dr. Doyle was to write : " To this day the old people relate the instances of persecution which occurred in their own time—not the traditions of their fathers, but what they themselves had seen and felt. Yet even then the clergy endeavoured to guard the embers of knowledge which the law sought to extinguish. The Catholic bishop of this diocese, in a shed built of mud and covered with rushes, on the verge of the Bog of Allen—the refuge of a man not inferior in mind or virtue to Fénélon—instructed youth with his own tongue and shared with them the crust which he had first watered with the tears of his affliction."

CHAPTER XVIII

THE IRISH CATHOLIC ASSOCIATION

ALMOST at the same time that the emergence of a new leader in the Bishop of Kildare had brought fresh courage to the Catholics who had for so long lost hope, a still more momentous development was taking place, from which the triumph of the Catholic cause was within a few years to follow. There had been for years a complete estrangement between O'Connell and those who had seceded with Lord Fingal in opposition to O'Connell's agitation for unconditional emancipation. O'Connell himself had been scrupulously fair in avoiding any abuse of Lord Fingal or of his old colleague, Richard Lalor Sheil. But they had not met since their political differences until, at the beginning of the year 1823, a dinner-party was arranged by Mr. T. O'Mara, in County Wicklow, at which O'Connell's undying enthusiasm for the Catholic cause originated a discussion of a new plan of campaign.

In the years of comparative inactivity he had reconsidered the whole prospects of the movement. He had marked the rise of a new and vigorous democracy, which in numbers alone had grown so rapidly during the past twenty years that, with some six million Catholics now instead of only three, it presented more formidable potentialities every year. He had seen the growth in wealth as well as in numbers of the Catholic middle-class, which had always provided the chief backing for his own efforts at agitation. They were no longer dependent, as they had been in the old days, upon the leadership of a small group of Catholic gentry, whose social position gave them a certain degree of immunity from Government prosecutions, but whose very privileges were a source of weakness, in making them timid in their demands

for the whole people, and in making them more ready to compromise. Recognising these more recent factors which by this time governed the whole position, O'Connell had been quietly considering a plan which was without precedent in Irish history, and which only his own indomitable courage and supreme gifts as a popular leader could have made possible.

Of all those who had shared his early perils and his partial triumphs, Sheil was incomparably the most useful ally for the preparation of such a scheme. It was nothing less than to enrol the entire Irish democracy, in defiance of the Government's certain hostility, and in spite of the misgivings which any such proposal must arouse among the more " respectable " classes and even among the Irish bishops. In practice his plan was extremely simple. The parishes were to be the local centres for the new organisation. The priests were to be its principal recruiting agents, and its funds were to come from two classes of subscribers—the full members who were to pay a guinea, and the associates one shilling, a year. Sheil had parted company with O'Connell nine years before through being unready to countenance the audacity of the great agitator. O'Connell knew that his new and still bolder plan was likely to meet with similar objection now. But he succeeded in rekindling the old ardour in his former ally ; and though Sheil remained sceptical and hesitating, they agreed that the time had come when at last a beginning must be made.

The guests at this momentous party decided at any rate to issue a circular to all the former Catholic protagonists, inviting them to a meeting in Dublin in April, at which the possibilities of the actual situation were to be discussed. The response was far from encouraging. Only twelve men assembled at the meeting-place in Sackville Street—which was afterwards renamed after O'Connell himself—and they did no more than convene an aggregate meeting. On 10th May it was held, with Lord Fingal's heir, Lord Killeen, in the chair ; and on the motion of O'Connell, supported by

Sir Thomas Esmonde and Sheil, the new Catholic Association was formed. Two days later it held its first meeting, with Lord Killeen as chairman ; and O'Connell, in a long speech, set forth the first details of his scheme. There was to be no election of members, and only their subscriptions would be required. The clergy were not even expected to subscribe, but were to be honorary members *ex officio*. For the time being he said nothing of his wider proposal to enrol a vast number of associates who would pay only a penny a month. He had at least constructed the framework of his new organisation.

But it was long before any further progress could be recorded. Members were not forthcoming in any large number, and the whole plan seemed to be hanging fire in spite of all O'Connell's efforts to infuse life into it. Finally, at the end of the year, O'Connell decided boldly to introduce his full development of enrolling the democracy as associate members. A committee was appointed to consider the proposal ; but, partly through the desire of certain members to obstruct the scheme and partly through sheer indifference, meeting after meeting had to be postponed for lack of a quorum. But O'Connell's whole energy was set upon the success of his plan, and he was not to be foiled by either obstruction or lethargy. " At last, upon Wednesday, the 4th of February 1824, the spell was broken," writes his son, John O'Connell. " At twenty-three minutes past three on that afternoon there were but seven persons present, including Mr. O'Connell himself and the inexorable Purcell—the latter, as usual, watch in hand, not in the least moved by the anxiety so plainly depicted in Mr. O'Connell's face. Another minute, and Mr. O'Connell could remain in the room no longer. He ran down towards Coyne's shop, downstairs, in the faint hope of finding somebody. On the stairs the eighth man passed him going up. In the shop itself were fortunately two young Maynooth priests making some purchases. The rules of the Association admitting all clergymen as honorary members, without special motion, he eagerly

addressed and implored them to come up but for one moment and help to make the required quorum. At first they refused, there being a good deal of hesitation generally on the part of the clergy to put themselves at all forward in politics, and these young men in particular having all the timidity of their secluded education about them. But there was no withstanding him. Partly by still more earnest solicitations, and partly by actual pushing, he got them towards the staircase, and upon it, and finally into the meeting-room, exactly a second or two before the half-hour, and so stopped Mr. O'Gorman's mouth. The required number being thus made up, the chair was taken (by William Coppinger, Esq., of Cork), the business entered upon, and Mr. O'Connell was enabled to unfold his plan. The two priests, who had so reluctantly and almost unconsciously done such good duty, shrunk away timidly a few moments afterwards, but as there was no counting of the house in the Association's code of laws, their presence was no longer necessary."

Having secured a quorum, O'Connell was now able to carry his proposals. His next step was to obtain sanction from an aggregate meeting in Dublin for introducing his plan of financing the Association and its activities by means of what he called the Catholic Rent, which was to be subscribed for the most part at the rate of a penny a month from every associate member. O'Connell had counted upon the active support of the country clergy to collect these diminutive subscriptions regularly. His proposal was regarded as ridiculous by most of his friends, and only his own prodigious energy and power of inspiring enthusiasm could have brought the plan to life. He not only gave a lead by undertaking to collect the subscriptions in his own parish, but consented to act as " secretary for correspondence with the several parishes of Ireland upon the subject of subscriptions "—with the assistance of his cousin, James Sugrue. His personal example, in the midst of his ceaseless activities at the Bar, produced an immediate result. The fact that

Bishop Doyle joined the new Association, and that Archbishop Murray very soon followed his example, gave an immense impetus to the movement; and with a judicious use of the funds which were now available for propaganda, the Association very quickly made itself felt in the towns, and before long spread with great rapidity through the country also. The monthly rent was inaugurated in March. By September it was producing £200 a week; by December the weekly receipts had risen to £700, and before long it produced an average of £1000 a week. O'Connell had intended that the funds should be used for five special purposes: to meet parliamentary expenses; to assist propaganda in the press; for legal expenses; to protect the privileges of Catholics and to prosecute aggressors on the other side; to develop education among the poorer Catholics; and, finally, to educate Catholic priests intended for America.

Careful to avoid any possibility of incurring further prosecutions under the Convention Act, O'Connell had so constituted the new Association that it could not possibly be regarded as a representative body. Membership was open to everyone, whether Catholic or Protestant, who was willing to subscribe; and its meetings were always open. O'Connell gave himself unsparingly to weekly attendance at them, helping with suggestions for the new reorganisation, encouraging debate, and giving his long experience and expert advice with lavish generosity. Funds were accumulating fast as the membership of the Association grew; and with half a million associates paying their penny a month, much became possible for the first time. O'Connell had dreams even of buying a controlling interest in some of the English newspapers; but his expenditure on press purposes was, in fact, confined to Ireland. Before long he talked even of buying seats in the House of Commons, pointing out that "the nabob of Arcot had at one time five borough seats in the House; and what was practicable to him is so to others." From all sides support poured in. Many of the bishops followed Dr. Doyle and Archbishop Murray into it, and a growing list of Catholic

peers added their names and sent considerable donations to the funds.

In England the amazing growth of this new agitation, conducted on lines which made it almost impossible for the Government to interfere, was watched with increasing anxiety. The Duke of Wellington already saw the immense seriousness of the situation. Repression by military force was apparently the only possible remedy. But Wellington himself was among the first to see that such a policy would not only be ineffective but would commit the Government to endless new difficulties. Early in November 1824 he wrote a formal letter to Peel as Home Secretary, expressing his own grave view of the existing difficulties: "If we cannot get rid of the Catholic Association," he wrote, "we must look to civil war in Ireland sooner or later. Although all concerns of that kind are matters of risk and doubt, I should think there could be none of the military result. But should we be better situated afterwards? I think not. We should find the same enemies blasting the prosperity of the country and ready to take advantage of the weakness of this country at any moment to do us all the harm in their power."

A few weeks later Peel was to receive a personal letter, expressing similar apprehensions, from George IV himself, who wrote that: "The King has for some time observed with considerable attention the conduct of the promoters and abettors of what is termed 'Catholic Emancipation.' The proceedings of the collective bodies of that persuasion in Ireland seem to be little short of what may fairly be termed intended rebellion. Moreover, the King is apprehensive that a notion is gone abroad that the King himself is not unfavourable to the Catholic claims. It is high time for the King to protect himself against such an impression, and he has no hesitation in declaring that if the present proceedings continue, he will no longer consent to Catholic Emancipation being left as an open question in his Cabinet. This indulgence was originally granted on the ground of political expediency,

but that expediency dissolves when threatened rebellion calls upon the King for that which the King never will grant. The sentiments of the King upon Catholic Emancipation are those of his revered and excellent father ; from those sentiments the King never can and never will deviate."

Peel consulted the Chief Secretary, Goulburn, as to whether he thought the Association was treasonable or not, and Goulburn replied in a letter which revealed at once the dangers of the situation and the possibility of a settlement by conciliation. " A large and respectable portion of the community entertain most serious apprehensions," wrote the Chief Secretary, " and it is impossible to deny that there is much to excite the fears even of the most courageous. Those, however, who look to immediate and combined insurrection appear to me to mistake the nature of the danger. I cannot as yet trace the existence of any such project. I do not believe that it exists. The people have no military organisation, no adequate supply of arms, no pecuniary resources, no regular leaders. The immediate danger that I contemplate is a sudden ebullition of fanatical fury in particular places, originating, not in any settled or premeditated plan, but in some casual circumstance operating upon the mind of a people easily excited at all times, and now in a state of unusual and extreme excitation."

This absence of any provocation to the Government, by scrupulous and skilful avoidance of any illegal action, gave its unique character to O'Connell's agitation—which eventually compelled Peel himself, as well as the soldier Wellington, to confess their utter incapacity to cope with it. There was no challenge to authority, no defiance of the law ; but simply an overwhelming assertion, on behalf of some five million Catholics, of their claim to be allowed a voice in making the laws by which they were governed. On those lines the Catholic Association proceeded with its irresistible organisation of popular discontent. But at last the Government, under increasing pressure from the Protestant diehards, determined to strike blindly at its elusive antagonist. In

the closing weeks of 1824 the Catholic Association had appointed a deputation, consisting of O'Connell and Sheil and a secretary, to go to London and consult with the English Catholics upon the best means of "laying before the English people the sufferings and merits of the Catholics of Ireland." They had scarcely arrived in England when the King's speech on 3rd February 1825 announced the alarms of the Government at the growth of the Association, and declared it to be "irreconcilable with the constitution" and calculated "to endanger the peace of society and to retard the course of national improvement." Once again the Government was to strike, as hard as it knew how, against the Irish Catholics when their long struggle for equal rights had revived. Within a fortnight the Chief Secretary, Goulburn, had carried through both Houses of Parliament a Bill for the "Suppression of Unlawful Associations in Ireland."

Coupled with it, the Government brought in the last of its efforts to solve the Catholic question by an ignominious compromise—a Bill designed to admit Catholics to Parliament and to the Municipal Corporations, but on two conditions: the disfranchisement of the forty-shilling freeholders and the payment of the Catholic clergy by the British Government. Once again the act of coercion was carried while the accompanying promise of concession was left unfulfilled. But the fact that it passed through the House of Commons showed what enormous pressure had been exercised by O'Connell's agitation. That in the drafting of the Bill—which was the sequel to a resolution proposed by Sir Francis Burdett—the Irish Catholics had been constantly consulted for the first time, and that O'Connell himself was chiefly responsible for its original draft, were no less significant. O'Connell was, indeed, for a few weeks, almost convinced that the emancipation of the Catholics was at last within immediate reach. In a private letter to Edward Dwyer, who was acting as Secretary of the Catholic Association, he actually said: "I am perfectly convinced that Emancipation must take place this session. Tell everybody

that Emancipation is certain and speedy." But these encouraging messages were partly due to the overwhelming enthusiasm with which O'Connell and the other delegates had been received in England, and were partly intended to stifle the opposition which he knew must be aroused up to a certain point in Ireland by the concessions which he had himself accepted.

These concessions were soon known everywhere as the two " wings " to the Emancipation Bill, by which O'Connell counted upon carrying the main Act of Relief through Parliament. O'Connell was to incur much obloquy afterwards for having consented to them ; and after the defeat of the Bill in the House of Lords, he made a formal retraction and apology for his own weakness, a few years later. The truth was that O'Connell himself was becoming alarmed by the agitation he had created : and he desired to achieve Catholic Emancipation quickly at all costs, before the popular excitement which had been aroused passed beyond control. He had always been a loyal constitutionalist, and he desired justice as the foundation upon which a new sense of loyalty should arise. Just before his departure from Ireland for London he had been prosecuted by the Government for a speech which was alleged to be seditious, and when the prosecution failed for lack of evidence, O'Connell had received an extraordinary ovation at the next meeting of the Catholic Association in Dublin. He made a speech there which must be quoted as proof of his own loyalist views, and as throwing light upon his attitude in accepting the " wings " in the new Emancipation Bill :

" I deny," he said, " that sedition could be fairly imputed to the words that I spoke on the occasion which gave birth to this prosecution. I never denied those principles of a parliamentary reform which I hold in common with you, sir ; and during the prosecution I frequently declared them. But I am also firmly attached to the British connection as useful to Ireland. I am a friend to the British Constitution under such an arrangement as will secure for us equal laws

and equal rights, and a full participation of the British Constitution and of natural liberty, by which the one shall not be mistress nation and the other that of a land of slaves, but by which we shall be brothers, freemen of a free State. I have always been ready to support that connection, to ensure its solidity, and to wipe from off it the mildews and rust of oppression. For this my blood is ready to flow to the last drop."

Such declarations go far to explain the cordiality with which the great demagogue was now being greeted in England by the Duke of Norfolk, who presided at a great meeting organised for him to expound his views to the English people. They explain his own gratification at being received with courtesy by the Duke of York, when he went to a levee with other leading Irish Catholics. And they throw light upon his evidence in 1825 before the Parliamentary Committee of Inquiry into the state of Ireland, in which he definitely stated his opinion that the Irish clergy would be glad to accept a financial provision from the State, and that the forty-shilling freeholders (upon whose courageous assertion of their rights a few years later the whole success of his agitation was to depend) would consent to their own disfranchisement if Catholics were admitted to Parliament. O'Connell was at this time actually writing to accept these terms, and even the Government's Bill for the suppression of the Catholic Association did not quench his hopes.

He had been present, together with the other delegates from the Catholic Association, in the House of Commons while the various debates had been in progress. He had watched the House carry the Bill for the suppression of the Catholic Association—in which even Plunkett and Canning, the two principal advocates of the Catholic claims, had supported the Government, agreeing that the Catholic Association was virtually a rival to the House of Commons, and that it was " invested with a representative character as energetic as that of the House of Commons itself." But he had grown confident that it was now only a matter of weeks

before the Emancipation Bill itself should become law. It passed all its readings in the House of Commons, while the Irish delegates waited in jubilant suspense. They believed that even the House of Lords must this time give way ; and that the King's personal opposition would then become impotent. But once again they had underrated the strength of English Protestantism, and the lingering authority of the royal house when it still represented the feelings of the people.

On 25th April the first serious set-back was encountered in the House of Lords. The Duke of York—who had received O'Connell so graciously at his levee a few weeks before—appeared in the House to present a formal petition from the Dean and Chapter of the Chapel Royal at Windsor, protesting against any further concession to the Catholics. Speaking with intense emotion, he recalled the persistent opposition on conscientious grounds which his father had offered to concessions which he believed must violate his Coronation Oath, and he appealed to the Lords to distinguish clearly between religious toleration and political power. " I have opposed the concession of political power from the first moment in which it was proposed to make it," declared the Duke of York. " I shall continue to oppose such concessions to the utmost of my power. The Roman Catholics will not allow the Crown or the Parliament to interfere with their Church. Are they nevertheless to legislate for the Protestant Church of England ? " And, concluding an impassioned appeal to the Lords, which was interrupted often by his own tears as he spoke, he declared : " I have been brought up in these Protestant principles, and from the time when I began to reason for myself, I have entertained them from conviction ; and in whatever situation I may be placed in life, I shall maintain them, so help me, God ! "

This hysterical declaration by the Heir Presumptive to the throne had an immediate effect, far beyond the audience to whom it was addressed. Three weeks were still to elapse

before the second reading of the Emancipation Bill came before the House of Lords, and the Protestant opposition made the utmost use of the interval to arouse sectarian prejudices. Eldon, the Lord Chancellor, was already confident that the Bill would be safely defeated. On the 17th the division at last took place, and the admission of Catholics to Parliament was refused by 178 votes to 130. The two "wings" were then also withdrawn, and O'Connell, detained for a few weeks longer in London, was left to contemplate the wreckage of his hopes, and to reflect that many of his followers would now feel that in accepting the "wings" he had agreed to pay a price for the luckless Bill which made its defeat a deliverance rather than a disappointment.

On his return to Dublin on 1st June he was nevertheless received with no diminution of his popularity. Vast crowds greeted his arrival, and he drove into Dublin from Kingstown with his wife and his daughters as the centre of a triumphal procession. The old struggle must now begin all over again, and the Catholic Association had been declared illegal by an Act which was to have been part of the emancipation settlement. Once more O'Connell rallied the whole people, with his magnetic genius as an orator and as an organiser, and his inexhaustible ingenuity in defeating repressive legislation. The first step was to summon another aggregate meeting of Catholics in Dublin, which could not be legally accused of having any representative character. He was immediately confronted by angry critics who denounced him for his acceptance of the "wings." The resolution of censure proposed by Lawless—who had already denounced him in the press while he was in England, with insinuations of personal bribery, which O'Connell indignantly denied—was withdrawn, and O'Connell declined to discuss the "wings." But he realised how unpopular was the course he had pursued. He decided boldly to sound the old note of defiance again.

"Let us rally and unite," he exclaimed, "round the standard of Liberty. I have promised in England that there

shall be a new Catholic Association. I have promised that there shall be a new collection of the rent." He had seen without hesitation from the beginning how easily the Act could be evaded. The Government had thrown its net as widely as possible to prevent the formation of any new Association whatever which would represent the whole Catholic body. But one large loophole had inevitably remained. The Act was expressly exempted from applying to any society organised for charitable purposes. Evasion was so simple a matter that O'Connell at once announced that the new Association would retain almost the same title as the old. The " New Catholic Association " was to be formed for the entirely legal purpose " of public or private charity, and such other purposes as are not prohibited by the statute of George IV, cap. 4." O'Connell's announcement was received with wild excitement and rejoicings. The New Catholic Association was constituted forthwith, and proceeded to collect the old weekly rent in precisely the same way as before—the only difference being that the money was now ostensibly described as being collected " for the relief of distressed Catholics " ; while O'Connell gave a lead by handing in his own subscription as being intended " for all purposes allowable by law."

All bitterness that had been created by O'Connell's acceptance of the " wings " vanished quickly, in face of this dramatic and immediate triumph over the new law by which the Government had tried to suppress the agitation. It proceeded more enthusiastically than ever, and the certainty increased that the Government could not hold out much longer against a menace which had already compelled them to face the King's displeasure by carrying the Emancipation Bill of 1825 through the House of Commons. And in the following year the dissolution of Parliament and a general election offered a new opportunity for a trial of strength between the Catholic democracy, now fully organised, and their opponents. It was only at the last minute that O'Connell decided that a test should be made in trying to

rally the forty-shilling freeholders to support candidates recommended by the Association. Had he anticipated the immediate success of his first attempt, preparations would have been completed in every district before the general elections, and the victory of 1829 might have been brought about three years earlier.

CHAPTER XIX

THE IRISH VOTERS FIND COURAGE

In one constituency at the general election in 1826 the Catholic Association decided to test its own strength against the landlord interests. O'Connell, with its usual combination of courage and foresight, decided to throw down his challenge where his enemies were most powerfully entrenched. For generations the Beresford family had exercised a more extensive and effective influence than any other in Ireland. It was their monopoly of power, and their unabashed abuse of it to secure jobs for all their friends and relations, with reckless disregard to the effect upon the public finances, that had inspired some of the most passionate outbursts of Edmund Burke, and had for years occupied the energies of Henry Grattan as the leader of the impotent party of Reform in the Irish Parliament. And for twenty-five years since the Act of Union they had retained the representation of their own county Waterford, as an undisputed hereditary right. Lord George Beresford himself had sat for Waterford for twenty uninterrupted years. If any Irish landlord had reason to regard his own position as being absolutely secure, it was he. The fact that he was a vehement opponent of Catholic emancipation was regarded as making no difference. Hereditary power, as a landlord belonging to the most powerful landed family in Ireland, would have given him his election without the smallest difficulty for years to come. As a landlord, moreover, he had exceptionally strong personal claims upon his tenantry. His father, the Marquis of Waterford, had shown such consideration towards the rebels in the insurrection of 1798 that he was reproachfully referred to as the " Croppy Colonel " among his own class. And Lord George himself had wiped off an

immense pile of arrears of rent on the eve of the election, in addition to many previous actions of generosity towards his tenants.

But it was the very strength of Beresford's position that made O'Connell choose his constituency as the arena for the Catholic Association's first contest with the ascendancy at the polls. If they failed against such overwhelming odds, no one would be unduly discouraged. If by a miracle they should win, there would no longer be a safe constituency in the whole of Ireland for any opponent of the Catholic claims. So O'Connell threw all his energies into the campaign. A strong candidate had been found to contest the seat in Mr. Henry Villiers Stuart, a son of the Marquis of Bute, and an important landlord in the county ; and with all the resources of the Catholic Association mobilised for the first time on his behalf, he made headway with amazing rapidity. But Lord George Beresford was incapable of reading the signs of the times. A diehard by temperament, with an inherited tradition of unmitigated arrogance and self-confidence, he appealed to the Catholic electors—as so many Protestant landlords did up to a hundred years ago—with a programme which truculently and openly denied to them any possibility of political concession. In his election address he denounced the priests fiercely for having turned against the " natural protectors " of the people, the landlords. He declared indignantly that " a few itinerant orators, emanating from a scarcely legal body called the Catholic Association, aided by a portion of the Roman Catholic clergy subservient to its views, claim a right to impose a representative upon the legitimate electors of the county." He protested that " the temporal power is usurped by a spiritual body, whose interference in politics should ever excite the jealousy, not only of a Protestant Government but of a Roman Catholic population." Some of the older members of the clergy still shared Lord George's views ; but the arrival of O'Connell in the constituency, and the new spirit of determination among the younger priests, roused

the peasantry to a fever of enthusiasm. At the gates of Beresford's own private estate, where Villiers Stuart had thought it useless even to canvass the poor tenants who lived so close under the shadow of their landlord, the peasantry of Portlaw themselves organised a meeting in support of the Catholics' candidate. Their parish priest did all in his power to discourage them, and refused to allow them the use of the chapel, where—in the days before the Blessed Sacrament was kept permanently in the churches—they desired to hold their meetings, as was done in the other parishes. Their spirit of defiance was only intensified by his opposition. They broke open the doors of the chapel, and with scenes of wild enthusiasm they vowed their support to the Catholic Association, against the landlord who had it in his power to evict every one of them.

By the day of the election such an amazing change had been wrought that Beresford could scarcely believe the result. Instead of his being returned as usual by a mere show of hands, the Catholic voters arrived in such numbers to vote against him that his defeat seemed assured. He indignantly demanded a poll, which, under the existing conditions, was to last for a month, every voter being obliged to declare his vote in public. Once again O'Connell went boldly forward with an unprecedented experiment. Hitherto the tenants had been accustomed to marching in bodies in support of their own landlords as a symbol of their loyalty and obedience. Now O'Connell extemporised a whole system of electioneering. From every district in the county the forty-shilling freeholders were marched into Waterford city, accompanied by their wives and children. Arrangements for feeding and billeting them were rapidly made ; and for six days, processions, singing and cheering as they marched, bedecked with the green ribbons of the Catholic Association, or carrying green branches as banners of revolt, arrived day after day to record their votes defiantly for Villiers Stuart. Nothing like it had ever been contemplated before as remotely possible. Every tenant who came to

vote against Beresford was risking his whole liberty and livelihood. The landlords were overwhelmingly on Beresford's side, and their canvassers pointed out the danger of a revolt which must persuade landlords to convert their land into pasture rather than tolerate the existence of an insubordinate tenantry. But O'Connell's defiant exhortations, and the co-operation of a few generous-minded landlords who supported Villiers Stuart, had banished every consideration except the necessity of vindicating the rights of the Catholic people.

After six days Lord George Beresford saw that he was only losing ground still further. He retired from the contest when his rival had polled 1357 votes against 528 for himself. He announced that he would petition to have the election declared void on the ground of moral intimidation by the clergy, who had " exerted the vast spiritual power of their Church to accomplish a temporal object and had applied the terrors of another world to the political concerns of this." There was no other ground on which he could appeal ; for O'Connell had employed one of his most deadly and devastating weapons in enforcing strict temperance while the election lasted. With an overwhelming and utterly disconcerting effect, he had persuaded the whole people to abstain from drink at a time when drunkenness and violence were expected as a matter of course. It was a weapon which, again and again in Irish history until quite recent times, was to intensify the moral determination of a popular movement and cause consternation among its enemies. Drunkenness and disorder, while the election lasted, were to be regarded as crimes against the people and their cause. The most turbulent crowd of men in Waterford, the pork butchers of the city, took a pledge against whisky until the election was over ; and, constituting themselves a " Society for the Preservation of the Peace," they patrolled as special constables night and day to prevent disorder. Four thousand troops had been called out in case of rioting, but they could only stand by helplessly in the presence of an absolutely peaceful election.

O'Connell himself had never expected, or even hoped for, such an amazing victory. For thirty long years, since the Act of 1793, the Catholic freeholders had possessed the vote but had never dared to use it. O'Connell himself had told the Committee of Inquiry in the House of Lords only the year before that the tenants were " part of the live stock on the estate," and that " in some of the counties the voters are regularly sold as cattle." Many famous instances of like kind had occurred, and perhaps no evidence of their abject condition could be more convincing than a letter which Lord Palmerston had written privately to Robert Peel, when he was Chief Secretary in Ireland in 1817. " Could you tell me generally," he wrote to Peel, " whether you think there is any probability of a contest for the County of Sligo at the next election ? I could, at the moment, make from 280 to 290 voters by giving leases to tenants who are now holding at will. If there is any chance of their being of use next year, I will do so forthwith, and register them in time. If not, I should perhaps postpone giving twenty-one years' leases till matters look a little more propitious to the payment of rent." The qualification for voting was to have a lease requiring payment of only £2 a year. Yet an absentee landlord like Palmerston could thus confer or deprive that power at will ; and in case of non-payment of rents in the bad years, when the tenants could not escape absolute distribution, they were liable to immediate eviction in a country where no alternative employment was possible. " They were, so far as their franchise or its exercise was concerned, mere serfs," writes Wyse, the historian of the Catholic Association. Wyse was himself a member of a Catholic family in Waterford, and he had married a niece of the great Napoleon. She threw herself whole-heartedly into the campaign against Beresford, and during the election encouraged the revolting tenantry by parading the county with Orange ribbons tied round the soles of her walking shoes.

The defeat of Beresford was by far the most sensational

victory that O'Connell had yet achieved. The walls of the ascendancy citadel had indeed been breached. There seemed no further possibility of preventing the Catholics from storming everything it held. It was not only that an all-powerful landlord had been overthrown in his own stronghold. For generations the Beresford family had monopolised the influence and power of the whole county. "The Beresfords are gone! Gone for ever!" exulted the *Dublin Evening Post*, when the news was made public. "Let it be proclaimed throughout the Empire—the Mighty are down before the breath of the people!" And in London the *Times* itself, which in these days was still prone to the use of vituperative language towards O'Connell and the Irish, which seems incredible to modern ears, faced the facts boldly and in a chastened spirit. It announced that "in Ireland, where a little while ago a Protestant shoeblack would have grinned with contempt at the titled head of the most ancient Catholic family, the tables are completely turned." Turned they were indeed; and O'Connell lost no time in following up the amazing possibilities of the new situation thus produced.

There was still time to develop similar contests in several other constituencies. In Louth, Monaghan, Westmeath, and other places where the result of the election in Waterford was received with an almost incredulous enthusiasm, the entrenched representatives of the old anti-Catholic landlord class were challenged by the Catholic Association, mobilising all its resources at the shortest notice. In each case the landlord who resisted the Catholic claims was driven from the seat which he had hitherto regarded as impregnable. With only a few days in which to organise the candidature of one of its own Protestant supporters, the Catholic Association was to carry all before it wherever it entered the field. The old order had fallen like a pack of cards. It had suddenly dawned upon the ascendancy that the people, upon whose labours they depended for their incomes and their social position, were no longer content to be treated as serfs. Vindictive action followed against many of them, as

O'Connell knew that it would. But once again he relied upon the vast resources of his new democratic movement. News of evictions reached the Association quickly, but it took steps to deal with the hardships which had to be faced. A " New Rent," in addition to the " Catholic Rent " which had enabled the Catholics to organise, was quickly arranged for, to provide for the relief of Catholic voters who had been evicted, or to assist the payment of rents by those who were threatened with reprisals by the landlord. Before long the " New Rent " alone was not sufficient to provide all that was needed, and at Sheil's instigation, part of the main " Rent " was applied in aid of their relief. " Like every other attempt to repress the advancement of the cause," says Wyse, " the persecution of the landlords but added a new impetus to its progress. The landlords themselves at last admitted the justice of this assertion. They dropped off one by one from the unequal conflict, and came into terms of arrangement, through the intervention frequently of the priests, with their own tenants."

The new Parliament met in November, with Lord Liverpool again as Prime Minister. But his term of office was to last only a few months. In March Sir Francis Burdett once again brought forward a motion in favour of the Catholics ; but the division showed that there still remained a diminutive majority opposed to any concession. It was defeated by 276 votes to 272. The result had scarcely been declared before news was received that Lord Liverpool had collapsed, after fifteen years as Prime Minister, with a paralytic stroke. With Liverpool in charge, the Catholics at least knew where they were. His successor might do anything. O'Connell, in a letter to the Knight of Kerry, expressed his anxiety at the possibility of Wellington's succession. " We are here in great affright," he had written, " at the idea of the Duke of Wellington being made Prime Minister. If so, all the horrors of actual massacre threaten us. That villain has neither heart nor head. It is impossible to describe the execration with which his name is received amongst us."

But O'Connell's fears were premature. The Catholics were to be disillusioned once again before they were intimidated. Canning, who had for so long been a leading protagonist of the Catholic claims at Westminster, was actually asked by the King to succeed Liverpool, after Lord Eldon had tried and failed. Canning accepted the invitation, and the Catholic question immediately came into the foreground of politics. Peel, who had been Liverpool's Home Secretary, would not contemplate service under such a chief. " My opposition is founded on principle," he declared. " I think the continuance of those bars which prevent the acquisition of political power by the Catholics are necessary for the maintenance of the Constitution and the Established Church." He sent in his resignation at once. Wellington resigned as well, and Lord Eldon, the Lord Chancellor, besides other determined opponents of the Catholics. Canning was not to be daunted by their retirement ; and by April he had formed a Ministry among the Whigs in which only three members were known to be opponents of Catholic emancipation. Sir Francis Burdett, the Radical who had been for several years the most courageous advocate of Catholic rights, and who in the previous month had almost carried his Catholic resolutions, was included in the new Ministry. There was no knowing what might happen next. O'Connell was so hopeful that he issued instructions in Ireland for the agitation to cease. For a time the Catholic Association even suspended its meetings. But they did not know that Canning had already promised the King that he would leave the Catholic question alone. Still less did they anticipate that within four months Canning would have followed Lord Liverpool to the grave.

Once again the King had to form an unstable Ministry. Lord Goderich accepted office ; and in the few months during which he managed to keep his Cabinet together he was to become the father of a son—the future Lord Ripon, who, born in Downing Street in this moment of despondency for the Catholics, was himself to become a convert to Catholicism

afterwards. Early in 1828 Lord Goderich found it impossible to carry on. He resigned, and with Peel as the only possible leader of the House of Commons, the Duke of Wellington became Prime Minister. O'Connell's worst fears had been realised. The struggle for Catholic rights was now to enter upon its last phase. On 19th January 1828 the composition of Wellington's new Cabinet was made known. It was almost an exact reconstruction of the old Ministry over which Lord Liverpool had presided, except that Lord Eldon was no longer included. It was apparent at once that several of its members were supporters of Catholic emancipation; which Peel—who had realised the significance of the Catholic successes in the election in 1826, and who, by no means underestimated the menace of O'Connell's agitation in Ireland—candidly described as "the most important domestic question of the day." But with Peel now leading the House of Commons, which had already rejected Sir Francis Burdett's Catholic resolution, and Wellington presiding over the Government itself, there was clearly no prospect whatever of a Catholic Relief Bill being introduced. Both Peel and Wellington prepared to resist the Catholic agitation to the last ditch. Their remedy for the Catholic menace in Ireland was to take steps at once to disfranchise the forty-shilling freeholders; and for the present the defence of the peasant voters became the chief pre-occupation of the Catholic Association.

O'Connell had no illusions as to what was in store for them. The Catholic Association met in Dublin at the end of January, a week after the formation of the new Ministry; and, at his proposal, pledged themselves forthwith to take every opportunity of opposing any supporter of Wellington's Government. But before long a minor issue compelled the Association to reconsider their policy. The Dissenters, who throughout the long agitation in Parliament on behalf of the Catholics had never asserted their own claim to relief from the minor disabilities under which they suffered, had taken heart at the evident progress of the Catholic cause; and in

February 1828 Lord John Russell introduced a resolution for the repeal of the Test and Corporation Acts which penalised them. Peel, on behalf of the Government, opposed Lord John's resolution, and other Ministers took a decided line against it; but on a division Lord John Russell carried it triumphantly by a majority of 237 to 193. Only the fact that there had been three changes of Government within the past year prevented Wellington's Ministry from resigning. It decided to bow to the will of the House of Commons; and after negotiations with the House of Lords, Peel secured their agreement to accepting the concessions which he had himself so strongly opposed. Little did he think that within scarcely more than another year the Duke of Wellington and himself would have been forced to capitulate to the Catholics in Ireland in a similar way. The Dissenters were only half as numerous as the Irish Catholics; they had no formidable organisation to press their claims upon a reluctant Government. But they were at least Protestants who shared the distrust of the Government and of the King towards the Church of Rome; and concessions to them involved nothing like the same violation of principles that was involved by Catholic emancipation.

Nevertheless the triumph of the Dissenters had a profound effect upon public opinion and upon the House of Commons. O'Connell himself was so elated by it that he considered that the Catholics' battle was already half won; and he had persuaded the Catholic Association, in view of the Government's proof of a conciliatory attitude, to revoke its pledge of opposing every Government candidate. In May the Catholic question was once again brought before the Commons by Burdett, and it was supported by several Ministers. But Peel was still confident that on an open vote the House would approve his own resistance to any concession. In the previous year the Catholic resolution had still been defeated by a majority of four; but the moral effect of emancipating the Dissenters had changed the attitude of several members. To Peel's dismay Burdett carried his resolution in the

Commons by 272 votes to 266. There still remained the Upper House, however, before the final veto of the King himself need be played as a last card. In the Lords, Wellington as Prime Minister was uncompromising in his resistance. The Duke of Sussex, who had been the champion of the Dissenters, Lord Lansdowne, Lord Wellesley, and other influential peers, all supported the resolution, to no purpose. The Lords rejected it by 181 votes to 137; and the ill-founded hopes of the Irish Catholics were once again dashed to the ground.

But before long an opportunity for such reprisals as the Catholic Association could hope to inflict was offered by an unexpected chance. Huskisson, the Colonial Minister, had voted against the Government on an issue of small consequence, and in a moment of excessive self-importance, he wrote formally to Wellington immediately after the division to tender his resignation from the Cabinet. A misunderstanding developed in which Huskisson ignored Wellington's repeated offers of an opportunity to withdraw his resignation; and the Duke proceeded without further ado to replace him. Three other members of the Cabinet followed Huskisson out of office, and it became necessary to reconstruct the Ministry. Among those who were chosen to succeed the retiring Ministers was an Irishman, Mr. Vesey Fitzgerald, the member for Clare, whose election was regarded as a certainty because of his local popularity and his long support of the Catholic claims in the past.

On 21st June the Catholic Association met in Dublin to consider the position thus created. O'Connell had twice within the past twelve months cancelled orders for opposing the Government. This time, within a few weeks of the rejection of the Catholic resolution by the House of Lords, he could not be expected to show any further relaxation. It was decided at once to oppose Fitzgerald's re-election, and the Association sent young O'Gorman Mahon, a Catholic landlord from the county, to invite the Protestant Major Macnamara—an old friend of O'Connell's who had acted

as his second in the duel with D'Esterre—to become their candidate. Within three days he had returned with word that Macnamara could not stand. It was then at last that the idea of O'Connell's own candidature was put forward. O'Connell himself had apparently never contemplated it. To be elected without taking his seat in the House of Commons was a policy which, until recently, would have seemed utterly futile. But the results of the elections in Waterford and elsewhere had shown what vast possibilities were now available. It was at Waterford indeed that the idea had first been suggested, more or less as an irresponsible gesture. One of the local freeholders had nominated O'Connell when he came to the town to urge the tenants to vote for Villiers Stuart. But it was not until Major Macnamara had declined to stand, and a Dublin wine merchant, Sir David Rosse, had urged the idea vehemently at the Association, that O'Connell's decision was taken. Thenceforward there was no looking back.

Long before any practical suggestion had ever been made for the election of a Catholic on the understanding that he would not take his seat at Westminster, that shrewd pioneer of the Catholic democratic organisation in Ireland, John Keogh, had often considered it and spoken of it to his own intimate friends. "John Bull is very stolid and very bigoted," Keogh used to argue. "He thinks Emancipation would mean the rekindling of the fires of Smithfield, and hence he is ignorantly opposed to it. He is, however, peculiarly jealous of the constitutional privileges of the subject, and if a Catholic shall be returned in due form to Parliament, and shall be debarred from taking his seat on account of the oaths, John Bull's love for constitutional liberty will induce him to consent to a modification of these oaths in order that the constituency shall not be deprived of the services of its representative."

Even if O'Connell himself had not stood for election in Clare, there is no doubt whatever that Fitzgerald would have been unseated by any Protestant candidate whom the

Catholic Association nominated to oppose him. It was O'Connell's personal candidature that made the Catholic victory so overwhelming. No more direct challenge could have been thrown down than this personal contest between the Catholic leader, standing on the clear understanding that he would not be allowed to take his seat if elected, and a member of the Government who had every possible claim upon the Catholic tenantry in his own county. In Dublin the Catholic leaders themselves did not realise how ready the peasantry were to respond to any decisive gesture of defiance. O'Gorman Mahon and Steele had been alone in their conviction that the attempt could not fail, when they went to Clare to convey the Association's formal invitation to Macnamara to be their candidate. But their activities, as soon as they undertook to agitate in the county, showed how much enthusiasm was ready to be awakened. Their horses were taken from their carriages, and they were drawn from one village to another by wildly cheering crowds, as soon as their intentions were made known, and before it was even decided what candidate was to be put forward. Everywhere they received assurances that " the people were staunch to a man," and that they were " utterly regardless of their landlords." Feeling ran so high that Steele was already recommending to the people that " in case they could not get a Protestant gentleman of high character to oppose Mr. Fitzgerald, they should get a parish clerk or gravedigger, give him a qualification out of the Catholic rent, and return him to Parliament in derision of the influence of the Wellington administration." Then, like a bolt from the blue, there arrived from Dublin the address to the electors from O'Connell himself, announcing that he was presenting himself as their candidate.

It was some days before O'Connell was able to escape from his legal duties in Dublin, but he drafted his election address immediately, and it was printed in the newspapers long before he could reach Clare himself. " You will be told I am not qualified to be elected," said his electoral address. " The

assertion, my friends, is untrue. I am qualified to be elected, and to be your representative. It is true that as a Catholic I cannot, and of course never will, take the oaths at present prescribed to members of Parliament; but the authority which created these oaths—the Parliament—can abrogate them, and I entertain a confident hope that, if you elect me, the most bigoted of our enemies will see the necessity of removing from the chosen representative of the people an obstacle which would prevent him from doing his duty to his King and his country.

"The oath at present required by law is, 'That the Sacrifice of the Mass and the invocation of the Blessed Virgin Mary and other saints, as now practised in the Church of Rome, are impious and idolatrous.' Of course, I will never stain my soul with such an oath. I leave that to my honourable opponent, Mr. Vesey Fitzgerald. He has often taken that horrible oath. He is ready to take it again, and asks your votes to enable him so to swear. I would be rather torn limb from limb than take it.

"Electors of the County Clare! choose between me, who abominates that oath, and Mr. Vesey Fitzgerald, who has sworn it full twenty times. Return me to Parliament, and it is probable that such a blasphemous oath will be abolished for ever. As your representative, I will try the question with the friends in Parliament of Mr. Vesey Fitzgerald. They may send me to prison. I am ready to go there to promote the cause of the Catholics and of universal liberty. The discussion which the attempt to exclude your representative from the House of Commons must excite will create a sensation all over Europe, and produce such a burst of contemptuous indignation against British bigotry in every enlightened country in the world, that the voice of all the great and good in England, Scotland, and Ireland, being joined to the universal shout of the nations of the earth, will overpower every opposition, and render it impossible for Peel and Wellington any longer to close the doors of the Constitution against the Catholics of Ireland."

By the time he started on his journey on 28th June, the whole country was thrilling with excitement. Lavish contributions for the expenses of his contest had been pouring in. The Catholic Association itself voted £5000. The city of Cork sent £1000 more. Sixteen rich Catholics in Dublin sent £100 each. Before O'Connell had reached Clare, £14,000 was already subscribed. His journey, which began at the entrance to the Four Courts in Dublin, where he was engaged up to the last minute, was a triumphal procession all the way. O'Connell himself—a vast, picturesque figure in his heavy cloak—travelled on the box-seat beside his coachman. Throughout that Saturday night they journeyed on, and by Sunday morning they halted at Roscrea to hear Mass. Three thousand men on horseback accompanied him all the way from Roscrea to Nenagh ; and as they approached Limerick great crowds gathered to meet them. Bonfires were alight on every hill, and every house along the road was illuminated in sign of welcome. It was two in the morning before they reached their destination at Ennis, the headquarters of the election. All night long crowds surged through the streets, waiting impatiently for the appointed hour in the morning for the nomination to take place. The Protestant gentry had become thoroughly alarmed, and rallied around Fitzgerald in full force. Sir Edward O'Brien, who proposed him, reminded the tenants of their personal debt of gratitude to Fitzgerald and his family. He told them bluntly that the country would not be fit for a gentleman to live in if the election proved that property had lost its influence. Fitzgerald himself, when the rival candidates had to make their speeches, did not hesitate to play upon the emotions of the crowd by telling them that his father—a much loved and generous landlord—was lying critically ill, and that no one had dared break to him the news of how his family had been insulted.

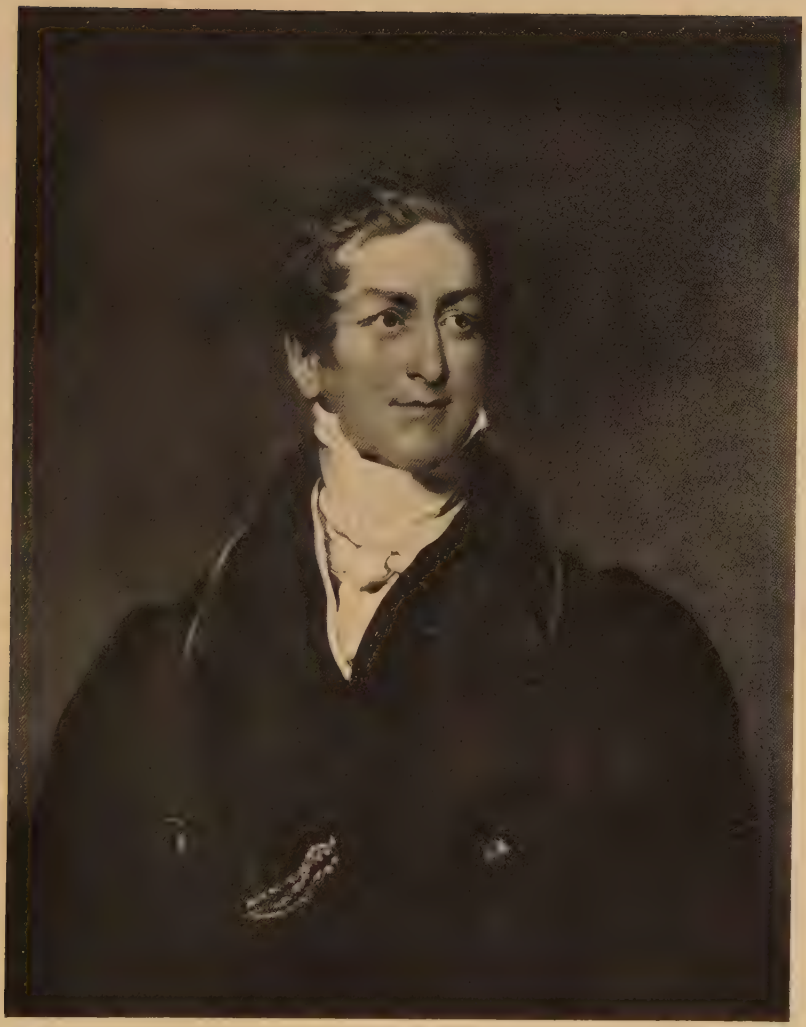
But O'Connell, who was always open to such emotional appeals, was utterly ruthless when he had serious work on hand. He threw himself at once into a passionate appeal to

the tenantry to shake off the political domination of their masters. He had been taunted in their presence with having been willing to sacrifice the rights of the forty-shilling freeholders as a condition of obtaining emancipation; and he replied with overwhelming rhetoric to the accusation: "For the purpose of carrying Emancipation, and to conciliate (which I have always been, and am now, ready to do), I consented to the disfranchisement of the forty-shilling freeholders, because I then thought they consisted of nothing more than the property of their landlords; and I was of opinion that it would be impossible to free them from the influence of their landlords. I now want to know whether the forty-shilling freeholders of Clare are the slaves of their landlords. Are they, like the negroes, to be lashed by their torturers to the slave mart and sold to the highest bidder? This experiment I am about to make. I want to know, will Mr. Gore, who brings forward the accusation, punish them if they dare to act otherwise than if they were slaves? It was a fault in me to have consented to their disfranchisement; but I have made full and ample reparation, and sooner now would I shed the last drop of my blood than consent to their disfranchisement."

Once again, and with still more remarkable results, O'Connell demonstrated the power of the Catholic Association to enforce discipline, and the immense self-control of the people under its direction. They were pledged to refrain from drinking whisky throughout the election, and to respond to no insult with violence. Troops—even cavalry and artillery—had been hurried to the neighbourhood by the Government to suppress rioting. But not one incident of violence occurred. Within a few days the troops and the Catholic processions were cheering one another as they passed. Billeting arrangements, on an immensely larger scale than at the Waterford election, were elaborately made, and complete arrangements were organised for providing the crowds with food at public places during the day. Through five days the polling continued, and the overwhelming victory of

O'Connell was apparent from the start. Even on the first day, when obstacles had been placed in the way of the forty-shilling freeholders who came to vote, and when the gentry came to vote in full force, O'Connell was already ahead with 200 votes against 194. By Thursday O'Connell had polled 1820 votes against Fitzgerald's 842. Even Fitzgerald's own tenants marched down to Ennis in full force, with fiddlers and pipers at their head, to vote against the landlord who could evict them all. By Saturday O'Connell had more than doubled his opponent's poll, with 2027 votes against 936. The sheriff, finding it impossible to disqualify O'Connell from being elected, though he would not take his seat, announced the tremendous news that he had been returned for Clare. On Monday he left Ennis, escorted for miles along the roads by a crowd which is said to have numbered 60,000 people. The popular demonstrations which greeted him were even more alarming to the Government than the fact of his having been elected at the expense of a popular member of the Cabinet.

In Dublin, where a vast meeting was arranged on the day of his arrival, he made a speech which was a direct challenge to the Government: "What I now say I wish to reach England, and I ask, What is to be done with Ireland? What is to be done with the Catholics? One of two things: they must either crush us or conciliate us. There is no going on as we are; there is nothing so dangerous as going on as we are. Two years ago I went to England. I then offered to enter into a treaty. I offered to tie the Catholic Church to the State by a golden link. I went further and I offered —God in Heaven forgive me for it!—the forty-shilling franchise. I offered it then; but do you think any power in England could now induce me to make the concession? Oh, no! Oh, no! If Wellington be not the madman he is said to be, if Peel be not the driveller I think he is, let them recollect that two years ago they obtained concessions which I would rather die upon the scaffold than yield to them now. I will go one step further and say that, high as even I stand



Sir Robert Peel

in the affections of my beloved countrymen, were I now to attempt such a concession or aid in its furtherance, it would bring me eternal disgrace, and the effort, besides, would be a total failure." And he declared that now at last the moment had come for a final reconciliation between the Irish and the English peoples. " I say now," he concluded, " all, all shall be pardoned, forgiven, forgotten, upon giving us Emancipation, unconditional, unqualified, free, and unshackled."

To the Protestant ascendancy the Clare election had been the deathblow of their long dominion. It was in vain that the Orangemen organised Brunswick Clubs up and down the country ; in vain that threats of an armed rising by 400,000 Orangemen were uttered by men holding high legal positions. It was in vain even that the King appealed to all his friends and to his Ministers to encourage the formation of Brunswick Clubs by every means. Wellington disapproved utterly of all such methods of anarchical repression. He feared and loathed the Brunswick Clubs almost as much as he detested the Catholic Association. He was confronted at last with a situation in which surrender seemed more and more inevitable. And Peel no less than Wellington had discerned the writing on the wall.

In a letter to Sir Walter Scott, Peel gave his own impressions of the amazing scenes that had been taking place in Clare : " I wish you had been present at the Clare election," he wrote, " for no pen but yours could have done justice to that fearful exhibition of sobered and desperate enthusiasm. ' Be true ' was the watchword which, uttered by a priest or an agitator, calmed in an instant the stormy wave of the multitude, and seduced the freeholder from his allegiance to his Protestant landlord. We were watching the movements of tens of thousands of disciplined fanatics, abstaining from every excess and every indulgence, and concentrating every passion and feeling on one single object ; with hundreds of police and soldiers, half of whom were Roman Catholics—that half, faithful and prepared, I have no

doubt, to do their duty. But is it consistent with common prudence and common sense to repeat such scenes and to incur such risks of contagion ? "

And still more significant were the few words that Peel added to the letter which reached him from the defeated President of the Board of Trade, when the election was finished. Late that night Vesey Fitzgerald had sat down to write his personal account to Peel. " The election, thank God, is over," he wrote, " and I do feel happy at its being terminated, notwithstanding its result. I have polled all the gentry, and all the fifty-pound freeholders—the gentry to a man. Of others, I have polled a few tenants, my own, and not much besides what adhered to me in that way. All the great interests broke down, and the desertion has been universal. Such a scene as we have had ! Such a tremendous prospect as it opens to us." To Peel, as the leader of the House of Commons, the news was a blow to all his plans. And having read Fitzgerald's letter, he sat down and wrote across its end in his own hand, " A prospect tremendous indeed ! "

CHAPTER XX

WELLINGTON FACES DEFEAT

A MARKED change in public opinion on the Catholic question had recently been taking place in England. The Whigs as well as the Radicals had generally become converted to the need for concession, and were no longer frightened by the prospect of a few Catholics being able to sit in Parliament. And even among the stoutest Conservatives actual conversions to the policy of concession had been publicly acknowledged. The most definite cause of this weakening of the old resistance was a Commission of Inquiry by the two Houses of Parliament into the state of Ireland, which was held in the early spring of 1825. The Commission had unexpected results in providing a platform for O'Connell and other Catholic leaders, and particularly for Bishop Doyle, to present their case in all reasonableness to the British public.

Dr. Doyle only learned after his arrival in London of the very elaborate theological examination to which he was to be subjected ; and with the aid of Sir Henry Parnell and a few other friends, he had prepared at extremely short notice and under great difficulties to meet his examiners. The lucid and unhesitating replies which he gave to an immense series of questions did more than anything else to disarm criticism in England. With unruffled patience he amazed his examiners by the extraordinary range of his learning, as much as by the readiness and definiteness of his replies, no matter how subtly a question might be contrived to lead him into unguarded statements. The Duke of Wellington, having left the room to collect some papers, met one of the peers outside the committee room. " Well, Duke, are you examining Dr. Doyle ? " he was asked. " No, but Doyle is examining us," was Wellington's illuminating answer.

Under an intensive bombardment of questions, ranging from confession and indulgences and marriage laws and Papal infallibility, to the state of the poor in Ireland, the Bishop was pressed particularly for his views on the veto in regard to appointing bishops. His unhesitating opposition was all the more remarkable in view of his earlier readiness to examine the question with every desire to find an acceptable compromise. He was asked whether it would be inconsistent with the discipline of the Catholic Church—if the Crown were to make financial provision in aid of the clergy and the bishops—to admit any interference on the part of the King in the appointment of bishops. " I think the Pope would not sanction it," said Dr. Doyle; " but were he to do so, we should not agree to it. For my part I would not; I should resign the office that I hold rather than assent to such a thing. I would first remonstrate against it; I would remonstrate a second time against it; and if this were not sufficient to ward it off, I should certainly resign my office; and I hope there is not a bishop in Ireland who would not do the same."

It is to Wellington's lasting credit that he appreciated the qualities of Dr. Doyle, and allowed himself to be profoundly impressed by his combination of wide learning with popular sympathies. His conversion to Catholic emancipation was still very remote; but there is little doubt that Dr. Doyle's evidence before the Parliamentary Committee in 1825 went a good way towards beating down his prejudices. That his evidence actually made converts to the Catholic cause was abundantly shown when the Catholic Relief Bill was introduced in the House of Commons in April. One speaker after another referred by name to Dr. Doyle's evidence, and several members proclaimed their own complete change of view through the enlightenment that had come from Dr. Doyle. Well, indeed, might Canning declare during the debates on the Relief Bill in 1825, that he had never before approached the subject under such cheering appearances. And although, after passing the House of Commons by a

majority of 21, it had been defeated by a decisive majority in the House of Lords, nevertheless the debates had shown how far public opinion had moved. A group of brilliant publicists, among whom Sydney Smith, William Cobbett, Richard Jeffrey, and Thomas Moore deserve the special gratitude of Catholics, were devoting their talents with great courage and energy to the cause of emancipation. Their propaganda, and, above all, the writings of Bishop Doyle, brought an immense reinforcement to the agitation which O'Connell was conducting.

And among the various influences which gradually directed the mind of Wellington towards concession, there can be little doubt that the open letter addressed to him by Bishop Doyle in June 1828—on the eve of O'Connell's unexpected decision to contest the election in Clare—had an incalculable influence at the time. The letter was a noble appeal to Wellington personally to " proclaim a cessation—not in ambiguous language, which only serves to excite to new exertion, but in terms plain, distinct and intelligible "—to the conflict of which both the Catholics and their opponents had already grown weary. " We are a nation grown up to manhood," asserted the great Bishop who so well expressed the bolder spirit of a new generation, " and the only force which can subdue us, without ruin to the State, is the force of equity. . . . Leave us a free people—let us exert all our energies ; and if you confide in our oaths, which can never be violated, or in our honour, which has never been tarnished, you will not have hereafter to complain of our ingratitude. You may by imposing bonds upon us remove the alarm felt by some timid Churchmen, but you will give a death-blow to freedom in Ireland, and inflict upon our common Christianity the deepest wound. The Catholics of Ireland excite apprehension ! They do, and justly, for they are numerous, powerful, and discontented ; but let them be admitted fully and freely to all the blessings of the Constitution, and if their hearts be of flesh—if they have children, and love them—if they have property, and value it—if they

have law and privilege, and prize them—if they have a country, and almost adore it—they will be among the best, the most loyal, the most devoted subjects in the realm."

Wellington may have remained sceptical in regard to such professions of loyalty ; but no man living was better qualified to express the intensity of Catholic feeling in terms of that moderation which all the responsible leaders desired. But the effect of the letter—which contributed largely to forming the decision that O'Connell should stand for Clare, was to reinforce with overwhelming emphasis the urgent appeal to Wellington to find means at last for solving the Catholic question. Within ten days of writing this open letter to Wellington, " J. K. L." had to decide his own attitude towards O'Connell's sudden candidature for the by-election in Clare. It was his moderation and sound judgment that gave him so great an influence in England, but it was his unflinching courage that made the Catholics in Ireland acclaim him as their leader. O'Connell's decision to contest the Clare election had taken the country by storm. But many of the more " respectable " Catholics at first deplored it. The Viceroy wrote on 23rd June to Peel that " O'Connell finds himself so much opposed by some of the most respectable of the bishops, and by many of the lower clergy also, that he is quite wild " ; and he quotes a letter, forwarded to him by a " person in my confidence " from one " of the most respectable bishops," to show that " there is a good feeling among the higher clergy." The letter, written from Maynooth, declares that " the proposed measure regarding Clare is thought here to be most unwise, and besides, not likely to succeed." But whatever " the most respectable of the bishops " at Maynooth may have thought, Dr. Doyle—within whose jurisdiction Maynooth College itself was situated—was unaffected in his own attitude. In a letter dated 27th June (four days after the Viceroy had written so encouragingly to Peel) he sent his full approbation to O'Connell in the great adventure upon which he had embarked. A " bold experiment " is how Dr. Doyle described

it himself, in writing to the future Lord Monteagle on 5th July. "You see we are hastening to the crisis which I have mentioned to you as inevitable if justice be not done in Ireland. 'Whosoever is not for us is against us' is, and ought to be, our maxim."

A problem of incalculable menace had been created by O'Connell's victory at Clare. His own immediate position could be dealt with easily enough; and O'Connell was too shrewd to commit himself in haste. To arrive at Westminster and demand his seat would have been to invite disaster; and O'Connell wisely waited to see what effect his election would produce. He had shown that, as soon as Parliament dissolved, the Government must now anticipate the return of Catholic candidates all over Ireland; and the British respect for the Constitution, to which Keogh had rightly attached so much importance, would never allow any Government to resist the simultaneous application of a large group of duly elected representatives for the right to take their seats in the House of Commons. But while that disconcerting prospect was not immediately pressing, the agitation in Ireland itself was a fearful problem and demanded attention at once. It was this demonstration of the power of the Catholic Association, and of the appalling efficiency of its organisation, that caused the greatest alarm. Wyse, in his history of the Association, gives a very clear picture of how swiftly and how secretly this organisation was now able to take action, and of the unquestioning readiness with which all its orders were immediately obeyed. Hitherto, he points out, the people had never been called upon to take any action that violated the Constitution. But the organisation was so complete, and the response to its every order was so enthusiastic, that if at any moment the word had gone forth that its members were to assemble with arms instead of for a purely pacific demonstration, it would have been instantly obeyed.

Added, moreover, to this daily menace in Ireland itself, there had arisen in other countries an enthusiasm for the

progress of the emancipation movement in Ireland which it is not easy now to appreciate. The excitement was shared in other countries of Europe besides France ; and it was not merely loss of prestige that filled the Government with dismay. There was a quite definite uneasiness even at the remote possibility of an armed intervention. "We may smile," wrote Wellington's biographer, Gleig, some thirty years afterwards, "when we read of doubts expressed as to the motives which, at such a juncture, carried Marshal Macdonald from Paris to Dublin. Marshal Macdonald, there is good reason to believe, never entertained a thought of mixing himself up in Irish politics. And of the secret fabrication of pikes, and the midnight drillings which went on, we may think as lightly as we have learned to do of the Chartist irruption into London in 1848. But taken in connection with well-known facts, such as the bold attitude assumed by the Roman Catholic clergy, and the entire abandonment of the Irish landlords by their tenants at the hustings, and that, too, in a case where the landlords' candidate had, throughout his public life, been the consistent advocate of the repeal of the very laws against which the Irish people were banded, . . . taken in conjunction with such facts as these, even the rumour of French sympathy, and of secret and armed organisations, was not without its weight in turning the balance of opinion in thoughtful minds towards a policy of concession."

While these uncomfortable apprehensions at the visit of Marshal Macdonald to Dublin may be dismissed as no more than the qualms of uneasy conscience, there were quite definite threats of intervention from the Irish and Catholic elements in the United States which had much more serious importance. Even if they were wildly unfounded, the mere fact that they gained credence in the prevailing excitement in Ireland was certain to inflame feelings of discontent still further. It is impossible to estimate now either how much basis there was for rumours of this kind, or how far they had any influence upon Wellington and Peel. But the facts

which are stated with great emphasis by the biographer of Bishop Doyle cannot be ignored in any account of the situation. Fitzpatrick states, on evidence which would seem to be unassailable, that Dr. England, the Bishop of Charleston, North Carolina, actually claimed that he " almost personally organised, in 1828, a force of 40,000 men which, headed by General Montgomery, the son of an Irish refugee, was designed for the invasion of Ireland had emancipation continued to have been withheld." O'Connell himself, the Irish-American Bishop declared, knew very little of what was being prepared.

At any rate, the situation had become utterly impossible. O'Connell's warning from Dublin after his election, that " nothing is more dangerous than to go on as we are," scarcely went beyond the feelings of Ministers themselves. Everyone in England, as well as in Ireland, was agreed that the presence of a large standing army alone kept the country from armed insurrection. But what compromise could now satisfy the Catholics in Ireland, or could be carried, even if it were satisfactory, in face of the known hostility of the King and of the diehards with whom the Duke of York had publicly associated himself by his speech in the House of Lords? The only possible hope lay in convincing the King that concession of some sort had become inevitable; and the King's present state of health made the problem all the more difficult. " It was evident," says Wellington's biographer and confidant, Gleig, " that till the King should be so far moved as to induce him to examine dispassionately the whole condition of Ireland, no attempt to deal with the question of Roman Catholic Emancipation could be made with any hope of success. The Duke resolved, therefore, to open that subject to His Majesty in the first instance, and so to approach it that the feelings by which His Majesty was known to be swayed should as little as possible be outraged. This was the more necessary as the King's health had become of late very infirm. Dropsy in an aggravated form, which had long threatened, seemed to be gaining ground upon him;

and dropsy, as need scarcely be observed, not only enfeebles the body, but unfits the mind for exertion. Accordingly His Grace, after having prepared an elaborate memorandum, with the view of submitting it to his colleagues, sent it on the 2nd of August to the King, and accompanied it with a letter, in which his reasons for taking this step were set forth in detail."

O'Connell had been declared elected on 5th July. Parliament had solved the problem of dealing with his election by proroguing hurriedly on the 28th; and the Duke of Wellington's elaborate memorandum to the King was despatched within the following week. It was a plain statement of the facts, describing the immense growth of the Catholic Association; the almost unlimited financial resources it derived from voluntary subscriptions; the military discipline which was exercised by unarmed and untrained gatherings of enormous size; the entire absence of disorder or of any pretext for direct interference by the Government; their recent discovery of the overwhelming power that was theirs to use in every contested election. "Accordingly, we find the influence of these demagogues," Wellington's memorandum continued, "paralysing the royal authority itself. The King cannot confer the honour of the peerage upon an Irish gentleman, a member of Parliament for an Irish county, because the Government cannot, in prudence, incur the risk of exposing the public peace to the dangers which were avoided in Clare only by the prudence or fears of the demagogues of the Roman Catholic Association. His Majesty cannot appoint a member for an Irish county to an office, and still less can he dissolve his Parliament. The Lord-Lieutenant had been insulted in his court, by the appearance there of one of these leaders, decorated with the insignia of the pretended liberators—that is, of rebels; and the Roman Catholic Association had continued, up to that time, to meet, in contempt of the declared intention of Parliament, if not contrary to the positive enactments of the law."

Yet, while acknowledging this outrageous state of affairs, Wellington could not suggest to the King any means of over-

coming the agitation. Every day added to the discredit of the Government; but the Catholic democracy was so well in control that no acts of violence were ever committed which could justify, or make possible, any coercive intervention. As things were, the Catholics held the initiative entirely in their own hands. They might rise in arms any day, or they might continue indefinitely this form of elusive agitation which made the Government impotent and ridiculous. Coercion of some sort had become inevitable; but the Duke explains to the King in detail why any suggested compromise, either in the direction of half-conceding or of half-refusing, had by this time become quite ineffectual. And his memorandum concludes with a solemn warning which was calculated to give the poor King nightmares for weeks afterwards: "It may be very doubtful whether the concession of Roman Catholic Emancipation, with any guards or securities, or in any form, would pacify the country, or save it from the civil contest hanging over it. But whatever the King and his Ministers might think of the chances of pacification which Roman Catholic Emancipation would afford, it had become the duty of all to look these difficulties in the face, and to lay the ground for getting the better of them. It would be necessary to conciliate Parliament, if possible, and the public, to whatever measures might be prepared, in order that if we should be involved in this contest we might enter into it with the support of Parliament and of the people of England."

This startling memorandum reached the King early in August. It was not until two months later, owing to the King's ill-health, that Wellington had an opportunity of meeting His Majesty at Windsor; where he found him "strongly affected on account of the state of affairs." His idea was to dissolve Parliament—regardless of the prospect of Catholics being elected all over Ireland, and relying upon the success of an intensive No Popery campaign which was to be organised by the formation of Brunswick Clubs throughout the country. But the King's health made any protracted

conversation impossible; and it was not until the middle of November that Wellington was able to carry matters further by a serious correspondence. The Duke pointed out firmly that a general election would be a deplorable undertaking, and that in Ireland it would not only bring about the return of Catholic members of Parliament everywhere, but might very probably also lead to a general refusal to pay either rents or tithes. He could see no means by which the Government could possibly enforce the law against a popular agitation of such dimensions. He further observed shrewdly that if the Irish democracy should pay its rents and tithes to the Catholic Association instead, the financial resources of the agitation would become very formidable indeed. And upon the King's proposal for a general extension of the Brunswick Clubs the Duke poured a deluge of cold water. He did not object to Irish loyalists "associating together for the protection of their own lives and properties"; but his opinion was most definite that all political questions ought to be left to Parliament to settle. "This dread of associating out of Parliament for political purposes," observes Wellington's biographer, "constituted a sort of passion with the Duke. He would never listen to any proposal of the kind, no matter from whence proceeding; or for what object intended." The law, he held, "must clearly be vindicated; and inasmuch as in its existing state it appeared to have lost all hold on the respect of those to whom it applied, it must be modified so as to meet the altered state of things which had arisen."

Within less than two months of O'Connell's election for Clare, the Duke of Wellington had been driven to thinking so furiously upon the state of Ireland that he now definitely worked out a plan of conciliation. The plan embraced eight separate points. The first was to make Catholics eligible for practically all offices. The second was to suspend *for one year* the necessity of taking the oath of supremacy and the declaration against transubstantiation, if the Irish oaths were taken instead. The third was to raise the qualifications

of voters from a forty-shilling to a five-pound freehold. The fourth proposed a grant from Parliament of £300,000 a year to provide for the Catholic clergy. The fifth required that all the Catholic clergy should obtain a licence from the Government. The sixth proposed an oath of allegiance on all ecclesiastics receiving a stipend from the Government. The seventh suggested penalties for all priests officiating without a licence ; and the eighth required a licence for all establishments of religious congregations in the King's dominions.

Wellington's experience had made him better fitted to face the inevitable than the ordinary politician. Lord Anglesey, the Viceroy in Ireland, was also an old soldier, and he had written urgently to the Cabinet immediately after the Clare election that neither the police nor the military in Ireland could now be regarded as dependable. He had information that regiments were already divided into " Orange and Catholic factions " ; and his entreaties that every Irish regiment should be immediately withdrawn from Ireland were granted. Yet, even so, the troops which were poured into Ireland to take their place were known to be full of Irish Catholics ; and one of the Welsh regiments, when it landed at Waterford, gave cheers for O'Connell as they marched through the town. The military situation in Ireland was not only absurd but precarious. Peel wrote afterwards, in a letter to the Protestant Bishop of Limerick, to justify his own surrender, that in the last six months, " England, being at peace with the whole world, has had five-sixths of the infantry force of the United Kingdom occupied in maintaining peace and in police duties in Ireland. I consider the state of things which requires such an application of military force worse than open rebellion." Well might he ask his correspondent to consider " what would be the condition of England in the event of war ? "

Peel's conscience as a parliamentarian caused him trouble from which Wellington, as a soldier, was immune. As a professional politician he was acutely conscious of how his

reputation must suffer once he accepted the inevitable and proposed the very measures which he had so passionately resisted. To Wellington, as a soldier upon whom a political career had been forced, public opinion mattered little. And when Peel, in September, announced that he would proclaim his change of front openly, and appeal to his constituency at a by-election for its support in bowing to the inevitable, his decision caused infinite embarrassment to the Duke. For the time being, at any rate, he postponed his quixotic appeal to the electors of Oxford University ; and in the meantime events developed disconcertingly. Wellington had for long been able to preserve some sort of direct communication with the Irish Catholics through Dr. Curtis, the Archbishop of Dublin, whom he had known as rector of the Irish College at Salamanca during his own campaign against the French in Spain, when Dr. Curtis had given him information of vital importance to his own military success. It was through Wellington's personal intervention—during the year when the Irish Catholics were agitating most strenuously against the proposed veto by the English Government upon the appointment of Catholic bishops—that Dr. Curtis was made Primate of Ireland. So now, when Wellington received from Dr. Curtis a letter impressing upon him most earnestly the need for a conciliatory policy by the Government, he replied in terms which revealed how far his own views had been shaken by the election of O'Connell for Clare. The letter was a strictly private communication, but a young priest to whom the Archbishop had handed it at breakfast, saw the enormous possibilities of hastening Catholic emancipation if it were made public ; and with an inexcusable but fortunate breach of confidence he conveyed a copy of it to the Dublin press. The letter committed Wellington to little, but its publication produced an enormous sensation. It was in the following terms :—

" My Dear Sir,

" I have received your letter of the 4th, and I assure

you that you do me justice in believing that I am sincerely anxious to witness the settlement of the Roman Catholic question, which, by benefiting the State, would confer a benefit on every individual belonging to it. But I confess that I see no prospect of such settlement. Party has been mixed up with the consideration of the question to such a degree, and such violence pervades every discussion of it, that it is impossible to expect to prevail upon men to consider it dispassionately. If we could bury it in oblivion for a short time, and employ that time diligently in the consideration of its difficulties on all sides (for they are very great), I should not despair of seeing a satisfactory remedy."

While the excitement at the publication of this confession of Wellington's desire to conciliate was at its height, a further letter, which had been marked " private and confidential," from the Viceroy to Archbishop Curtis was suddenly made public in a similar way. Lord Anglesey had expressed his strong disapproval of Wellington's intransigeance, and he declared that " the Catholic question should not for the moment be lost sight of—that anxiety should continue to be manifest, that all constitutional (in contradistinction to merely legal) means should be resorted to to forward the cause, but at the same time the most patient forbearance, the most submissive obedience to the law, should be inculcated." The revelation of these well-intentioned indiscretions on the part of the Viceroy was a staggering blow to the King. Anglesey was immediately recalled, and left Dublin in January 1829, surrounded by a vast procession of Catholic supporters, while the Duke of Northumberland was sent to succeed him.

Anglesey's dismissal, just when he had become a convert to the Catholic cause, was a severe shock even to O'Connell at the time. Anything might now happen ; and the country was in such a state of ferment that a renewal of coercion could not fail to provoke an open insurrection. But the anxiety of the following weeks was soon allayed to some

extent. Parliament assembled on 5th February, and the King's speech contained a momentous paragraph which promised that the end of the long agitation was at last in sight. It announced that: "His Majesty laments that in that part of the United Kingdom (Ireland), an association still exists which is dangerous to the public peace, and inconsistent with the spirit of the constitution; which keeps alive discord and ill-will among His Majesty's subjects, and which must, if permitted to continue, effectually obstruct every effort permanently to improve the condition of Ireland. His Majesty confidently relies on the wisdom and on the support of his Parliament; and he feels assured that you will commit to him such powers as may enable His Majesty to maintain his just authority. His Majesty recommends that when this essential object shall have been accomplished you should take into your deliberate consideration the whole condition of Ireland, and that you should review the laws which impose disabilities on His Majesty's Roman Catholic subjects. You will consider whether the removal of these disabilities can be effected consistently with the full and permanent security of our establishments in Church and State, with the maintenance of the reformed religion established by law, and of the rights and privileges of the bishops and of the clergy of this nation, and of the churches committed to their charge."

Three days later O'Connell started for London. His journey was marked by intense popular demonstrations, in which the Protestant opposition greatly predominated. Accompanied by his principal lieutenants, he reached London on the day that Parliament introduced the Bill for the suppression of the Catholic Association. A deputation of Whigs who supported the Catholic movement urged upon him the advisability of disbanding the Association at once, to deprive the Government of its principal arguments. O'Connell agreed, and sent instructions to this effect immediately to Ireland. So, on 12th February, the Association met in Dublin for the last time. In a final declaration it

asserted that " the last act of this body is to declare that we are indebted to Daniel O'Connell, beyond all other men, for its original creation and sustainment ; and that he is entitled, for the achievement of its freedom, to the everlasting gratitude of Ireland."

Having carried through the House of Commons his Bill for the suppression of the Catholic Association—which had already dissolved itself, and so left the Government in a complete vacuum—Peel resigned his seat and appealed to the electors of Oxford University for a mandate to embark upon the new policy of surrender. It was a daring contest to undertake, for the University of Oxford had time after time sent anti-Catholic petitions to Parliament whenever the Catholics demanded justice. The Protestant party mobilised all their forces against him ; and to the delight of the King, and the utter discomfiture of Wellington, Peel failed to secure re-election, with only 609 votes against his opponent's 755. Fortunately the borough system provided means of overcoming such displays of popular resentment. A borough in Wiltshire was vacated in Peel's favour, and he was returned for Westbury unopposed, amid a shower of stones from the local inhabitants. A Protestant candidate was already on the way to oppose him, but arrived a few hours too late. Had he entered the town a few hours earlier, says Peel himself in his memoirs, " it is highly probable that I should have fared no better at Westbury than I had done at Oxford."

On 3rd March Peel took his seat again as leader of the House of Commons and Home Secretary, and at once gave notice that on the 5th he would call attention to the disabilities of the Roman Catholics. Wellington could breathe freely once more, now that Peel's conscientious escapade was over without serious disaster. But the King sent word urgently, that night, that they must both come down to see him at Windsor early on the following morning, accompanied by the Lord Chancellor Lyndhurst. His brother, the Duke of Cumberland, and his intimate friend, the former

Lord Chancellor Eldon—who was to declare in the House of Lords that "if a Roman Catholic is permitted to enter the legislature of this country, from that moment the sun of Great Britain is set"—had been actively provoking his resistance. Cumberland, for his part, had asserted unequivocally that "if the King gives his consent to the Catholic Emancipation Bill, I will leave the kingdom and never return."

So, for five hours on the following morning and afternoon the King protested, with indignation and with tears, against the policy which Wellington and Peel had already persuaded him to sanction. But the time had passed when they could recede from their new resolution. Finally the King declared that he would withdraw his own consent to what they proposed. They had no alternative but to resign; and having been kissed on both cheeks by a tearful monarch, they departed immediately to London. But the King also had no alternative. They had scarcely returned to London when word followed them from Windsor that the King had capitulated. They were free to carry out the policy to which they and he were already irrevocably committed.

CHAPTER XXI

THE TRIUMPH OF O'CONNELL

For four hours on 5th March, Peel expounded to the House of Commons the situation that had forced the Government to capitulate, and the measures of virtually complete emancipation that were now proposed. The prevailing popular excitement was shown by the immense crowd that gathered outside the Houses of Parliament. The more reflective among them must have wondered at the enormous difficulties that had been raised around an issue which, in its practical consequences, must obviously involve so slight a change in the character of Parliament. The central provisions of the Government Bills were simply the removal of declarations of allegiance and supremacy which had hitherto prevented Catholics from entering either the House of Commons or the House of Lords. The texts of both these documents must be given in full. The oath of supremacy was short and plain: "I, ——, do swear that I do from my heart abhor, detest, and abjure as impious and heretical that damnable doctrine and position that princes excommunicated or deprived by the Pope or any other authority of the See of Rome, may be deposed or murdered by their subjects, or any other whatsoever. And I do declare that no foreign Prince, Person, State, or Potentate hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. So help me God."

The declaration was considerably more offensive: "I, ——, do solemnly and sincerely, in the presence of God, profess, testify, and declare that I do believe that in the Sacrament of the Lord's Supper there is not any transubstantiation of the elements of bread and wine into the

body and blood of Christ, at or after the consecration thereof by any person whatsoever ; and that the invocation or adoration of the Virgin Mary, or any other saint, and the sacrifice of the Mass, as they are now used in the Church of Rome, are superstitious and idolatrous. And I do solemnly, in the presence of God, profess, testify, and declare that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words read unto me, as they are commonly understood by English Protestants, without any evasion, equivocation, or mental reservation whatever, and without any dispensation already granted me for this purpose by the Pope or any other authority or person whatsoever, or without any hope of any such dispensation from any person or authority whatsoever, or without thinking that I am or can be acquitted before God or man, or absolved of this declaration or any part thereof, although the Pope or any other person or persons or power whatsoever should dispense with or annul the same, or declare that it was null and void from the beginning."

The Bill repealed the declaration against transubstantiation altogether for all members, Protestant and Catholic ; and specially provided for Catholics the following oath of allegiance and supremacy :

" I, ——, do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King George the Fourth, and will defend him to the utmost of my power against all conspiracies and attempts whatever, which shall be made against his person, crown, or dignity ; and I will do my utmost endeavour to disclose and make known to His Majesty, his heirs and successors, all treasons and traitorous conspiracies which may be formed against him or them. And I do faithfully promise to maintain, support, and defend, to the utmost of my power, the succession of the Crown, which succession, by an Act entitled, ' An Act for the Further Limitation of the Crown, and Better Securing the Rights and Liberties of the Subject,' is and stands limited to the Princess Sophia, Electress of Hanover, and the heirs

of her body, being Protestants, hereby utterly renouncing and abjuring any obedience or obligation unto any other person claiming or pretending a right to the Crown of this realm. And I do further declare that it is not an article of my faith, and that I do renounce, reject, and abjure the opinion that princes excommunicated or deprived by the Pope, or any other authority of the See of Rome, may be deposed or murdered by their subjects, or by any person whatever. And I do declare that I do not believe that the Pope of Rome, or any other foreign Prince, Prelate, Person, State, or Potentate, hath, or ought to have, any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, within this realm. I do swear that I will defend to the utmost of my power the settlement of property within the realm, as established by the laws; and I do hereby disclaim, and solemnly abjure any intention to subvert the present Church Establishment, as settled by law within this realm. And I do solemnly swear that I never will exercise any privileges to which I am or may become entitled to disturb or weaken the Protestant Government in the United Kingdom; and I do solemnly, in the presence of God, profess, testify, and declare that I do make this declaration, and every part thereof, in the plain and ordinary sense of the words of this oath, without any evasion, equivocation, or mental reservation whatsoever. So help me God."

The substitution of this long rigmarole for the two obnoxious declarations was, in fact, the crowning victory of O'Connell's long agitation. The importance of the concession has, in modern times, been magnified out of all proportion, in comparison with the destruction of most of the penal code in the Acts of 1791 and 1793, in England and Ireland respectively. But the admission of Catholics to the right of becoming legislators, whether hereditary or elective, was the consummation of a struggle which had lasted through the lifetime of a whole generation. Even now it was not admitted without being qualified by the definite enactment

of specific exclusions against Catholics. They were still excluded from the office of Lord Chancellor, either of Ireland or of England; from becoming Viceroy of Ireland or Commander-in-Chief of the forces. Several minor prohibitions of a vindictive character were enacted at the same time. Catholic members of corporations were prohibited from wearing their insignia in Catholic churches. Priests were formally forbidden to wear their vestments outside the precincts of the churches. Special provisions—which were, in practice, ineffective—were made to prevent the extension of religious and monastic congregations, and Catholic bishops and deacons were prohibited from using their ecclesiastical titles. But these minor restrictions had no terrors for O'Connell, who had so often showed his capacity for " driving a coach and four " through Acts of Parliament. Alarms were caused in Ireland by the first appearance of these clauses, but O'Connell very soon found means of defeating them—particularly the insulting provision concerning the prohibition of episcopal titles. If the hierarchy could not sign their own names as bishops, there was at least no prohibition against others addressing them by their ecclesiastical titles; and by this simple expedient the restriction was made inoperative almost from the beginning.

Other very important disabilities still remained in force under the new Act, and, as Bishop Ward points out, " the three great grievances enumerated by the Vicars Apostolic at their synod at St. Edmund's College in 1803 all remained unremoved by Peel's Bill. Marriages before Catholic priests continued to be invalid by law; Catholic soldiers and sailors were still without legal right to exempt them from frequenting Protestant worship; and Catholic property continued insecure, their charities being regarded as 'superstitious usages.' In fact, from first to last it was a layman's bill; and whereas the laity can justly date their Emancipation from 1829, in ecclesiastical matters whatever freedom of worship there was dated from the Act of 1791. Indeed the clergy as a whole were really in a better position under the Acts of

1791 in England and 1793 in Ireland than under Peel's Act."

But to the vast majority of Catholics the Bill did signify an unconditional surrender to their demand for full political rights. O'Connell's chief personal triumph lay in the fact that the veto and all other provisions for Government interference with the Church had been kept out. One really serious blow, however, was dealt by the Government to the Irish Catholics at the same time. Peel seized the opportunity of combining concession with the achievement of his own determination to disfranchise the forty-shilling freeholders. Their amazing courage in revolting against their landlords had shattered the confidence of the Protestant ascendancy by the defeat of Beresford in Waterford, and had compelled Wellington himself to surrender by electing O'Connell for Clare. The Bill was less drastic than the original proposals for raising the voter's qualification to £50; but the new figure of £10 was left high enough to disqualify most of the Catholic peasantry in Ireland. In July O'Connell had vowed at the public meeting in Dublin after his election that he would "die on the scaffold" rather than desert the forty-shilling freeholders. Bombastic language was excusable in the wild excitement that his election had aroused; but O'Connell was to regret bitterly that he had spoken in such extravagant terms. Bishop Doyle, whose combination of straightforward courage in vital matters with a quite exceptional moderation on technical questions like the appointment of bishops, had given him a unique position among the Catholic hierarchy, had expressed himself on this very question in language which could never be explained away. In one of his famous *Letters on the State of Ireland* in 1825 he had said: "Take the elective franchise from the Irish peasant, and you not only strip him of the present reality or appearance of this right, but you disable him and his posterity ever to acquire it. He is now poor and oppressed—you then make him vile and contemptible; he is now the image of a freeman—he will be then the very

essence of a slave ; he has never a hope that, should his country improve, he may one day raise his voice on the hustings and plead the cause of all who belong to his class of life ; . . . but take from him his freehold, and you cast him out of the constitution." And among his own lieutenants O'Connell had to reckon particularly with the strong views of John Lawless, who protested immediately with all vehemence against the Government's proposals.

O'Connell, with customary shrewdness, mobilised Lawless at once to help him in resisting the proposal to disfranchise the Irish peasantry. He drew up a resolution immediately which was sent to the Whigs, calling upon them to resist the Disfranchisement Bill even at the risk of losing the Catholic Emancipation Bill. It was brought to the Radical Sir Francis Burdett, in whose house they had assembled to consult ; but the Whigs decided to support the Government on both Bills. " It almost drives me to despair on the subject," O'Connell wrote in a private letter. " I sent Lawless to stir Hunt to get up some English opposition. I begged of O'Gorman Mahon to call upon him this day, and I will go myself, but I expect nothing. Lawless's expedition has failed—totally failed. Hunt has got no following. I was until now convinced that the Radicals were in some power. They are not. They are numerous, but they have no leaders, no system, no confidence in either Hunt, Hume, or William Cobbett—not the least, not the least." The Radicals believed, in fact, that the Catholics could be emancipated only upon condition of such a drastic concession to Protestant prejudice. There is little doubt that they judged correctly. The sacrifice of the Irish forty-shilling freeholders removed a menace in comparison with which the admission of a few Catholics to Parliament was insignificant. Their disfranchisement was in itself a guarantee that only Catholics of considerable social position would ever stand any chance of being elected.

In that belief—which was to be fully justified by events, until the Reform Act was carried afterwards by the efforts

of the English Radicals, with O'Connell as an invaluable ally throughout their campaign—the Bill passed its third reading on the evening of 30th March by a majority of 320 votes against 142. In the House of Lords on the following day the Duke of Wellington in person undertook the same humiliating task that had been thrust upon Peel in the House of Commons. His critics accused him furiously of having failed to carry out the law. He answered them by pointing out that his chief difficulty had been the entire avoidance of any violation of the law by the Catholics in conducting their agitation. And in a famous passage he expressed the real reason which had compelled him to give way. "I am one of those," he said solemnly to the crowded House of Peers, "who have probably passed a longer period of my life engaged in war than most men, and principally, I may say, in civil war; and I must say this, that if I could avoid, by any sacrifice whatever, even one month of civil war in the country to which I am attached, I would sacrifice my life in order to do it. I say, there is nothing which destroys prosperity and demoralises character to the degree which civil war does. By it the hand of man is raised against his neighbour, against his brother, and against his father; the servant betrays his master, and the whole becomes a scene of confusion and devastation." The Duke's obvious sincerity and earnestness prevailed. The Lords, who had rejected the Emancipation Bill of 1825, even after it had passed the House of Commons, now voted for its passing—in spite of the forces which had been got together against it—by a majority of two to one.

Only the last obstacle now remained. Lord Eldon had gone to see the King at Windsor, and found him utterly distraught. "What can I do? What can I now fall back upon!" he exclaimed. "My situation is dreadful—nobody about me to advise with." His brother, the Duke of Cumberland, had solemnly assured him a month before that he would never return to the country if a Catholic was admitted to Parliament. "If I do give my assent," the

King said despairingly to Lord Eldon, " I'll go to the baths abroad, and from thence to Hanover. I'll not return any more to England. Let them get a Catholic King in Clarence." These allusions to Clarence succeeding him as a Catholic King recurred in most of his conversations during these miserable days at Windsor. " When I go, Clarence will make them a good Catholic King," he protested to another confidant, " and they will only have to send for Dr. Murray and Dr. Doyle to educate the Princess Victoria." And again, in another immortal phrase, " Wellington is King of England, O'Connell is King of Ireland, and I suppose I'm only considered Dean of Windsor." But the Catholic Emancipation Bill was proceeding in its inexorable progress through Parliament, and on Monday, 13th April, the King's Ministers appeared stubbornly at the Castle to request the royal signature. The King was helpless and hysterical. He would not look at the document he was asked to sign. Finally, Wellington prevailed. He scribbled the few necessary letters across the parchment, and then flung the pen furiously on to the ground. When Peel heard later in the day that all was now over, he remarked that " the Bill has now passed its last and most difficult stage."

EPILOGUE

In the long speech in which Peel asked the House of Commons to consent to the Government's surrender, he acknowledged with a parade of assumed frankness that " the credit belongs to others, and not to me. It belongs to Mr. Fox, to Mr. Grattan, to Mr. Plunkett, to gentlemen opposite, and to an illustrious and right honourable friend of mine who is no more, Mr. Canning. By his efforts, and in spite of mine, it has proved successful." The truth was, of course, that the credit belonged conspicuously to Daniel O'Connell—to whom the House of Commons was a few weeks later to refuse his seat until after re-election, although he was already duly elected; and, above all, to the Irish peasantry—whom Peel had asked Parliament to disfranchise as a punishment for the success of their own assertion of independence.

Catholic emancipation, in the sense of abolishing the atrocious penal code, had been carried a whole generation earlier—chiefly by the untiring efforts and courageous public spirit of the Dublin merchant, John Keogh, and by the resourcefulness of the anti-clerical young Protestant barrister, Wolfe Tone, whom Keogh had invited to become agent for the Catholic Committee. But the agitation to secure the admission of Catholics to Parliament was almost exclusively due to the indomitable courage and energy and political genius of O'Connell. Catholics can never acknowledge with sufficient gratitude the long years of persistent service and self-sacrifice which he devoted to their cause. The Act of 1829 did not even enable him to become a K.C., although he had been for many years unrivalled in his practice at the Irish bar. It was not until 1832—on the accession of William IV—that a special patent of precedency was given to him, after he had almost retired from his practice to devote

himself to his parliamentary duties. This belated recognition of his supremacy as an Irish barrister cost him nearly £100 in fees, and came too late to make the slightest difference to his professional earnings.

Years afterwards, when an English politician insulted him by the spiteful suggestion that he was no better than a paid agitator, he stated the facts squarely to an Irish audience: "I will not consent that my claim to 'the rent' should be misunderstood. My claim is this. For more than twenty years before Emancipation the burthen of the cause was thrown upon me. I had to arrange the meetings, to prepare the resolutions, to furnish replies to the correspondence, to examine the case of each person complaining of practical grievances, to rouse the torpid, to animate the lukewarm, to control the violent and inflammatory, to avoid the shoals and breakers of the law, to guard against multiplied treachery, and at all times to oppose, at every peril, the powerful and multitudinous enemies of the cause.

"At a period when my minutes counted by the guinea, when my emoluments were limited only by the extent of my physical and waking powers, when my meals were shortened to the narrowest space, and my sleep restricted to the earliest hours before dawn—at that period, and for more than twenty years, there was no day that I did not devote from one to two hours, often much more, to the working out of the Catholic cause, and that without receiving or allowing the offer of any remuneration, even for the personal expenditure incurred in the agitation of the cause itself. For four years I bore the entire expense of Catholic agitation without receiving the contributions of others to a greater amount than seventy-four pounds in the whole. Who shall repay me for the years of my buoyant youth and cheerful manhood? Who shall repay me for the best opportunities of acquiring professional celebrity, or for the wealth which such distinction would ensure?"

And while the victory of 1829 brought him no professional advancement, it was to be accompanied by several acts of

personal humiliation. The first was delivered by the House of Commons itself. O'Connell was already duly elected as a member of Parliament for Clare ; and, as the real author of the Act, he naturally desired to be the first Catholic to take his seat at Westminster. He had purposely refrained from presenting himself at the House to take his seat until the Government's intentions were disclosed. He was aware that obstacles might be raised to his taking his seat for Clare, on the ground that the election was held before the new legislation was in force ; and to obviate the difficulty he made a sporting offer to the proprietor of the borough of Tralee, which was the nearest town to his own home at Derrynane. The borough had long been regarded as being open to the highest bidder, and it had even been assigned under a marriage settlement as a bride's dowry ; so that O'Connell could at least count upon his offer of £3000 for the remainder of the present session being seriously considered. But the transaction would have involved an embarrassing publicity in the circumstances, and Sir Edward Denny refused it. O'Connell was thrown back upon exerting his own ingenuity and eloquence to obtain admission to Parliament as the elected representative of County Clare.

Meanwhile, however, the first excitement of a victorious entry into Parliament was passing into the hands of the English Catholic aristocracy. On 28th April the Duke of Norfolk, Lord Dormer, and Lord Clifford presented themselves at the House of Lords as the first three Catholics to be admitted to their rights as legislators. Three days later several more Catholic peers—Lords Petre, Stafford, and Stourton followed them into the hereditary House. And within a week after the Duke of Norfolk had taken his seat in the House of Lords, O'Connell's ambition of being the first Catholic to enter the House of Commons was finally defeated by the entry of the Duke of Norfolk's eldest son, the Earl of Arundel—for whom the representation of the borough of Horsham, in Sussex, which his father owned,

was purposely secured in all haste. O'Connell's own fight for admission was, therefore, doomed already to become at best an anti-climax. Many of his friends urged him to claim his seat boldly, after refusing to take the obnoxious oath which had now become obsolete, but which had been in force when he was elected. But O'Connell had good reason to realise what risks any precipitate action on his part might incur. The Government's own Bills had shown with what bitterness they felt the necessity of concession.

He had received a personal blow almost immediately after the passing of the Act, which showed that even amongst certain English Catholics he was still hated as a democratic agitator. In a moment of imprudent vanity, he had allowed his name to be put forward for election to the Cisalpine Club—the recognised stronghold of the English Catholic aristocrats, who had been all but inactive spectators of the last phases of the long struggle. Relying upon the Duke of Norfolk's personal demonstrations of friendship towards him in recent weeks, and upon the overwhelming debt of gratitude which every English Catholic owed to him, he had been misled into believing that the old anti-Irish feeling among the English Catholics had disappeared. He wished to give proof of it by his own election to the Club which had opposed him so bitterly in the past. But even at this climax of Catholic emancipation, and when O'Connell's personal efforts had enabled the Catholic peers to take their seats in the House of Lords, and the Duke of Norfolk's son to become the first Catholic member of the House of Commons, the old prejudice conquered. O'Connell was blackballed for the Cisalpine Club, and refused admission to its membership. His generous impulses had led him into an error of judgment which was to embitter relations between the Irish and the English Catholics, on account of the insult offered to him, for generations afterwards.

Realising, by this and other signs, that his enemies were as vindictive as ever, O'Connell wisely decided against the risk of taking his seat, which would expose him to a fine of

£500 for every day that he sat in Parliament without fulfilling its requirements, and to other drastic penalties as well. He saw that the legalists could easily disprove his contention that he might now sit and vote ; but there was no alternative to proceeding with the pompous farce of an argument at the Bar of the House. On 15th May he appeared in due course, between his two sponsors, Lord Duncannon and Lord Elrington. The overpowering atmosphere of the House of Commons appears to have worried him considerably ; and his behaviour showed severe control. He was handed, by the Clerk of the House, the three obsolete oaths of allegiance, abjuration, and supremacy, together with a copy of the New Testament. O'Connell looked at them, and then, in a moderated voice, he protested that he did not feel obliged to take those oaths. " I apply," he said, as though putting forward a forlorn hope in a legal case, " to take my seat under the new Act. I am ready to take the oath directed to be taken by Roman Catholics." The Earl of Arundel, who had entered the House only a few days before, on taking the newly prescribed oaths, was already in the House. But the Speaker, rising in his seat, explained that the Catholic Emancipation Act was not retrospective, and that O'Connell must either take the old oaths or leave the House. He bowed to the inevitable, waiting for a moment at the table in the hope that some member would have the courage to protest. Brougham did, in fact, rise in his seat, but the Speaker asked him to sit down ; and then, after O'Connell had withdrawn, Brougham moved that O'Connell should be given the opportunity of being heard at the Bar of the House to support his claim to take his seat. Once more, therefore, the parliamentary farce was played through on 19th May. When O'Connell was again presented with the printed oaths, solemnly producing his spectacles to read them, as though he were unaware of their contents, he addressed the House in a loud voice, protesting that " I see in this oath assertions on matters of opinion which I know to be false. I see in it another assertion on a matter of fact which I believe to be untrue. I, therefore,

refuse to take the oath." With those words he departed again from the House, and a new writ was issued for the constituency of Clare.

Had the House of Commons possessed the barest sense of generous conduct, it would have been perfectly easy to remove all obstacles to O'Connell's taking his seat by special legislation within a few days. Fortunately, his re-election was so certain that no candidate was put forward in opposition to him, and his election expenses were consequently reduced to a minimum. Expressions of sympathy from leading members of the English Catholics were not wanting; and his reception when he returned to Dublin for the second election was a continuous triumphal ovation. But the bitterness with which he was regarded by the political and social influences which he had vanquished, in the country where his parliamentary duties were henceforward to compel him to reside for long periods, was shown by no one more clearly than the King. In May, immediately after the passing of the Act, he attended a levee in London and there met the King face to face—for the first time since he had headed the extraordinary ovation which greeted the King's landing at Kingstown eight years earlier, when O'Connell himself had presented the King with a crown of laurels.

His own description of this meeting may help to give a perspective of the relations which then existed between the King and the Irish Catholics, and the latter and the English Catholics, as a result of the passing of the Act: "The wretched King was suffering from an utterly broken constitution," O'Connell wrote afterwards to a friend, "and the Presence Chamber was kept as thin as possible, to preserve him from inconvenient crowding. When I got into the midst of it, approaching the Throne, I saw the lips of His Majesty moving; and thinking it possible he might be speaking to me, I advanced, in order to make, if requisite, a suitable reply. He had ceased to speak. I kissed hands, and passed on. In some days I saw a mysterious paragraph in a Scotch newspaper, remarking on the strange mode in which an Irish

subject had been received by his Prince, who was stated to have vented a curse at him. I happened to meet the Duke of Norfolk, and asked him if he could explain the paragraph. 'Yes,' said he, 'you are the person alluded to. The day you were at the levee His Majesty said, as you were approaching, "There is O'Connell! G—d damn the scoundrel."'"

CHRONOLOGY OF PRINCIPAL EVENTS

1756. First Irish Catholic Association formed.

1759. Irish Catholics address Speaker of the Irish Parliament.

1760. Irish Catholics present loyal address on accession of George III.

1761. Monck Mason's Bill to enable Irish Catholics to lend money on mortgage vetoed in England.

1763. Irish Catholics succeed in resisting quarterage.

1771. "Act for the reclamation of unprofitable bogs."

1774. Act to enable Irish Catholics to make profession of loyalty.

1777. Irish Catholics present address of grievance to George III.

1778. First English Catholic Committee of five formed.
Address of loyalty presented by English Catholics to the King.
English Catholic Relief Act.
Irish Catholic Relief Act.

1779. Anti-Catholic riots in Edinburgh and Glasgow.

1780. Lord George Gordon riots in London.

1782. Legislative independence of Irish Parliament established. Most of penal code re-enacted; but Catholics now allowed to own land, and Acts against Catholic worship repealed.
New English Catholic Committee of five formed, with Charles Butler as secretary.

1787. English Catholic Committee of five becomes Committee of ten.

1788. English Catholics present memorial to Pitt.

1789. English Committee's form of oath condemned by Vicars Apostolic.

1791. Second condemnation of oath by English Vicars Apostolic. English Catholic Relief Act passed.
Irish Catholics not allowed to present a petition to Viceroy.
John Keogh's active policy on Catholic Committee compels Lord Kenmare to secede. Richard Burke becomes agent for Irish Catholics.

1792. Wolfe Tone replaces Richard Burke as agent for the Catholics. Sir H. Langrishe's Catholic Relief Act passes Irish Parliament. Catholic petition removed from table of Irish Parliament. Keogh and Tone organise the Catholic Convention to demand admission to the franchise. Grand Juries fulminate against the new Catholic Committee. Catholic Convention meets in Dublin.
Cisalpine Club formed in England.

1793. Deputation of Irish Catholics received by the King. Pitt compels the Irish Parliament to admit Catholics to the franchise.

1795. Lord Fitzwilliam sent to Ireland as Viceroy. Catholic emancipation expected at once. Fitzgibbon persuades Pitt to grant no more to the Catholics, and to work for a legislative union. Fitzwilliam replaced by Westmorland, and new era of Catholic persecution begins. Orange Society founded in Ulster.
Maynooth College established.

1796–7. Systematic intimidation of Irish Catholics by the Government.

1798. Irish rebellion suppressed with aid from England. Fierce reprisals induce Irish Catholic leaders to support abolition of Irish Parliament, on understanding that Catholic Emancipation will be carried by Pitt.

1799. Castlereagh becomes Irish Secretary, and with Cornwallis negotiates closely with the Irish bishops. The ten trustees of Maynooth agree to Veto and payment of clergy, as part of a settlement to follow the Act of Union.

1800. Irish landlord Parliament abolished by Act of Union.

1801. Pitt resigns when George III refuses to consider Catholic Emancipation.

1805. Catholic petitions rejected by Parliament. Veto first discussed in Parliament.

1806. Death of Pitt. Grenville's "Ministry of all the talents." Resigns when the King refuses to admit Catholics as military or naval officers.

1807. Duke of Portland's "No Popery" Ministry.

1808. English Catholic Board established.
Irish bishops protest collectively against the Veto.

1810. Catholic relief motions defeated.

1812. Lord Liverpool becomes Prime Minister. Canning's Catholic resolution carried.

1813. Grattan carries several resolutions in favour of Catholic relief. Introduces his Veto Bill, which is abandoned on being amended. English Catholic Board expel Bishop Milner for his opposition to Grattan's Bill.
Irish Catholic Committee suppressed.
O'Connell conducts trial of Magee in Dublin.

1814. Irish Catholic Board suppressed.
Quarantotti Rescript arrives in England. Milner's immediate mission to Rome in conjunction with Irish hierarchy. Pius VII liberated and returns to Rome.
O'Connell's duel with D'Esterre.

1815. Irish bishops publicly denounce the Veto. Fr. Hayes, O.S.F., goes to Rome to protest on behalf of the Irish Catholics.

1816. Grattan's motion in favour of Catholics defeated.

1817. Act for relief of Catholic officers in army and navy.
Secession of Lord Fingal and Sheil from Irish Catholic Committee. O'Connell leads the agitation for unconditional emancipation.

1819. Grattan's motion for a Committee to consider the Catholic question defeated by two votes.

1820. George IV becomes King. Address of loyalty by English Catholics. Death of Grattan.

1821. O'Connell greets George IV on his visit to Ireland.
Plunkett's "Securities" Bill passes the Commons, but rejected by the Lords.

1823. Reconciliation between O'Connell and Sheil. Bishop Doyle's open letter to the Viceroy. O'Connell founds the Catholic Association.

1824. Rapid growth of Catholic Association and the Catholic Rent.

1825. O'Connell tried for seditious language. Catholic Association suppressed.
Burdett's Relief Bill passes the Commons, but defeated by the Lords.
O'Connell and Bishop Doyle give evidence before the House of Lords Inquiry.
O'Connell forms the New Catholic Association.

1826. Catholic Association secures defeat of Lord George Beresford in Waterford.
" Order of Liberators " founded to protect the peasant voters from victimisation.

1827. Lord Liverpool resigns. Canning becomes Prime Minister, but dies in August.

1828. Duke of Wellington becomes Prime Minister. Repeal of the Test Act for Dissenters.
O'Connell elected for Clare. Wellington and Peel realise necessity for concession.

1829. King's Speech announces a new Irish policy. Catholic Association suppressed by law. Peel resigns and fails to be re-elected for Oxford University, but is returned for Westbury.
Emancipation Bill carried through both Houses and receives Royal Assent.
Earl of Surrey becomes first Catholic M.P. O'Connell re-elected for Clare and takes his seat.

1830. Cisalpine Club dissolved and re-formed as Emancipation Club. New Parliament contains ten Catholic members for Irish seats and six for English seats.

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